



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5353/1
EKL&MES:cde

2019 ASSEMBLY BILL 904

February 11, 2020 - Introduced by Representatives SUMMERFIELD, KUGLITSCH, PLUMER, SKOWRONSKI, TUSLER and VANDERMEER, cosponsored by Senators BERNIER and OLSEN. Referred to Committee on Housing and Real Estate.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 66.10013 (1), 66.10013 (2) (intro.), 66.10014 (1) and 66.10014
2 (2) (intro.); and *to create* 16.3025, 66.10013 (4), 66.10013 (5), 66.10014 (5) and
3 66.10014 (6) of the statutes; **relating to:** creating statewide website for
4 municipality housing reports, modifying housing reporting requirements, and
5 requiring annual update of housing fee report.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Administration to post housing reports issued by municipalities on its website and requires municipalities to annually update a report on residential development fees.

Current law requires municipalities with populations of at least 10,000 to prepare two housing reports no later than January 1, 2020, and to post the reports on the Internet. One report is on the municipality's implementation of the housing element of the municipality's comprehensive plan, and the other report is on residential development fees charged by the municipality. The housing element report must be updated annually by January 31.

The bill requires municipalities to annually update the report on residential development fees by January 31. Under the bill, municipalities must annually provide a copy of the two reports to DOA no later than January 31, and DOA must develop a web page on its website to post the reports in a searchable format. The bill also requires DOA to annually submit a report to the appropriate standing committees of the legislature that summarizes the information contained in the municipalities' reports.

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Also under this bill, the housing reports must be prepared and posted by a municipality with a population of 5,000. The first of the reports must be prepared and posted not later than January 1, 2022, with regard to a municipality with a population of at least 5,000, but fewer than 10,000. The current law January 1, 2020, date, and the required 2021 update, remain for municipalities with a population of at least 10,000. If a municipality fails to meet the posting requirements for either of the housing reports, the bill prohibits the municipality from imposing impact fees or land dedication requirements until the report is posted.

Because this bill may increase or decrease, directly or indirectly, the cost of the development, construction, financing, purchasing, sale, ownership, or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.3025 of the statutes is created to read:

2 **16.3025 Municipality Housing Reports.** (1) The department shall create
3 and maintain a web page on its Internet site to post each report provided to the
4 department under ss. 66.10013 (4) and 66.10014 (5). The reports shall be presented
5 in a readily understandable format that is searchable by the name of a municipality
6 and by other criteria that the department determines will aid users of the site in
7 understanding the information contained in the reports.

8 (2) Annually, no later than May 1, the department shall submit to the chief
9 clerk of each house of the legislature for distribution to the appropriate standing
10 committees under s. 13.172 (3) a report that summarizes the information described
11 in ss. 66.10013 (2) (a) to (e) and 66.10014 (2) (a) and (b).

12 **SECTION 2.** 66.10013 (1) of the statutes is amended to read:

13 66.10013 (1) In this section, “municipality” means a city or village with a
14 population of ~~10,000~~ 5,000 or more.

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1 **SECTION 3.** 66.10013 (2) (intro.) of the statutes is amended to read:

2 66.10013 (2) (intro.) ~~Not Subject to sub. (4), not later than January 1, 2020, a~~
3 municipality shall prepare a report of the municipality's implementation of the
4 housing element of the municipality's comprehensive plan under s. 66.1001. Except
5 as specified in sub. (4), not later than January 1, 2022, a municipality shall prepare
6 a report of the municipality's implementation of the housing element of a
7 municipality's comprehensive plan under s. 66.1001. The municipality shall update
8 the report annually, not later than January 31. The report shall contain all of the
9 following:

10 **SECTION 4.** 66.10013 (4) of the statutes is created to read:

11 66.10013 (4) (a) The January 1, 2020, date, and 2021 update, in sub. (2) (intro.)
12 apply only to a municipality with a population of at least 10,000 on the effective date
13 of this paragraph [LRB inserts date].

14 (b) If a municipality subject to sub. (2) fails to meet the report preparation and
15 posting deadline requirements specified in subs. (2) and (3), the municipality may
16 not impose any impact fees under s. 66.0617, or land dedication requirements on a
17 residential development project, until the report is completed and posted on the
18 municipality's Internet site.

19 **SECTION 5.** 66.10013 (5) of the statutes is created to read:

20 66.10013 (5) Annually, no later than January 31, a municipality shall provide
21 a copy of the report under sub. (2) to the department of administration in the format
22 requested by the department.

23 **SECTION 6.** 66.10014 (1) of the statutes is amended to read:

24 66.10014 (1) In this section, "municipality" means a city or village with a
25 population of ~~10,000~~ 5,000 or more.

