



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4326/2
EKL:cjs&wlj

2021 ASSEMBLY BILL 610

October 8, 2021 - Introduced by Representatives BROOKS, ARMSTRONG, DITTRICH, GUNDRUM, KITCHENS and BORN, cosponsored by Senator FEYEN. Referred to Committee on Housing and Real Estate.

1 **AN ACT** *to amend* 70.32 (1); and *to create* 70.32 (1p) of the statutes; **relating**
2 **to:** prohibiting certain property tax assessment practices.

Analysis by the Legislative Reference Bureau

Under this bill, assessors may not do any of the following when assessing the value of real property for property tax purposes:

1. Use mortgages or bank appraisals, or any portion thereof, to determine the assessed value.
2. Use projected rents and other future or anticipated benefits to determine fair market value.
3. Use list and asking prices or rents to determine fair market value.
4. Use price trends to determine fair market value in order to increase the value of multiple properties by a general amount or percentage.
5. Consider the value of a club house, swimming pool, or other amenity that is part of a multifamily property when assessing the multifamily property if the club house receives minimal or no rental income, regardless of whether the club house is located on a separate lot.

The bill also provides that when there is an inconsistency or ambiguity between the Wisconsin Property Assessment Manual and a statute, the statute controls the practices of the assessor.

ASSEMBLY BILL 610

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.** 70.32 (1) of the statutes is amended to read:

2 70.32 (1) Real property shall be valued by the assessor in the manner specified
3 in the Wisconsin property assessment manual provided under s. 73.03 (2a) from
4 actual view or from the best information that the assessor can practicably obtain, at
5 the full value which could ordinarily be obtained therefor at private sale. ~~In Subject~~
6 to sub. (1p), in determining the value, the assessor shall consider recent
7 arm's-length sales of the property to be assessed if according to professionally
8 acceptable appraisal practices those sales conform to recent arm's-length sales of
9 reasonably comparable property; recent arm's-length sales of reasonably
10 comparable property; and all factors that, according to professionally acceptable
11 appraisal practices, affect the value of the property to be assessed. In determining
12 the value, if there is an inconsistency or ambiguity between the Wisconsin property
13 assessment manual provided under s. 73.03 (2a) and a statute, the statute shall
14 control the practices of the assessor.

15 **SECTION 2.** 70.32 (1p) of the statutes is created to read:

16 70.32 (1p) Beginning with the property tax assessments as of January 1, 2022,
17 the assessor may not do any of the following when determining the value of real
18 property:

19 (a) Use a mortgage or bank appraisal, or any portion thereof, to determine the
20 property's assessed value.

