
Advocacy . . . Looking Beyond The State Budget

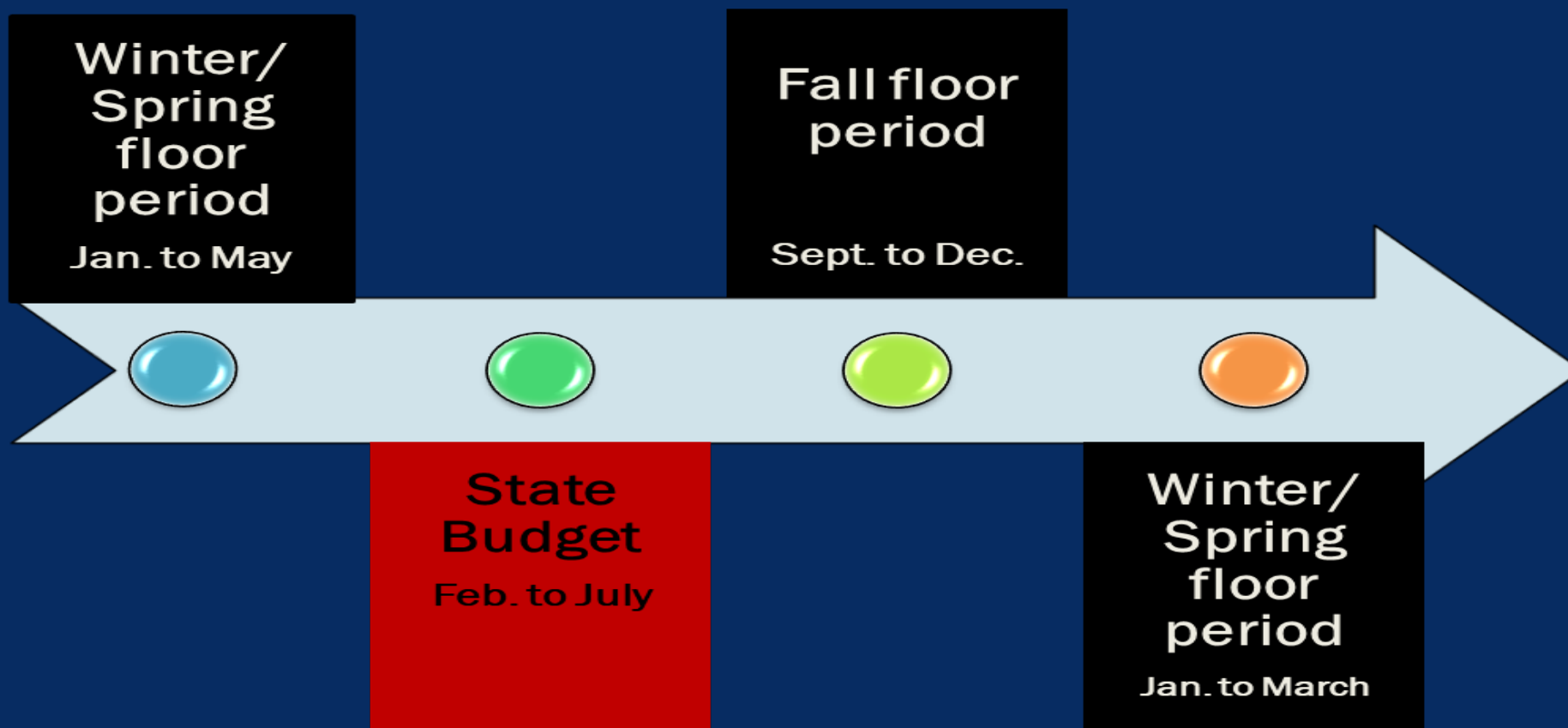
Tom Larson, Executive Vice President
Wisconsin REALTORS® Association

8.11.21

Agenda

- **Recap of the Legislative Session To Date**
 - **COVID-19**
 - **State Budget**
 - **Carry-over bills**
- **Preview of the Remainder of the Session**
- **Legal Action Cases**

Overview of the Legislative Session



Recap of Legislative Session To Date

3 Priorities

- Business liability protection – **2021 Wis. Act 4**
- State taxation of PPP loans – **2021 Wis. Act 1**
- 36-month permit extensions (AB 247/SB 264) -- **Pending**

Passed

- **Transportation** -- \$253M for state & local projects
- **I-94 E/W** – Enumerates project + \$40M in bonding
- **Broadband expansion** -- \$225M in expansion grants
- **Tax relief**
 - \$2.5B in income tax cuts
 - \$650M in property tax cuts
- **R/E License Modernization** -- \$5M in DSPS tech upgrades

Defeated

- Limit the **capital gains** exclusion
- Raise **local levy limits** by a minimum of 2% annually
- Raise **income taxes** by \$1 billion
- Significant rollbacks of **landlord-tenant law reforms** from the last 10-years

2021-2022 Legislative Session Update

Carry-over Bills

- **Riparian Rights – 2021 Wis. Act 47**
- **Home Inspectors – 2021 Wis. Act 17**
- **Real Estate Condition Reports (AB 65/SB 73) – Pending**

Remainder of Legislative Session

2021-2022 Legislative Session Update

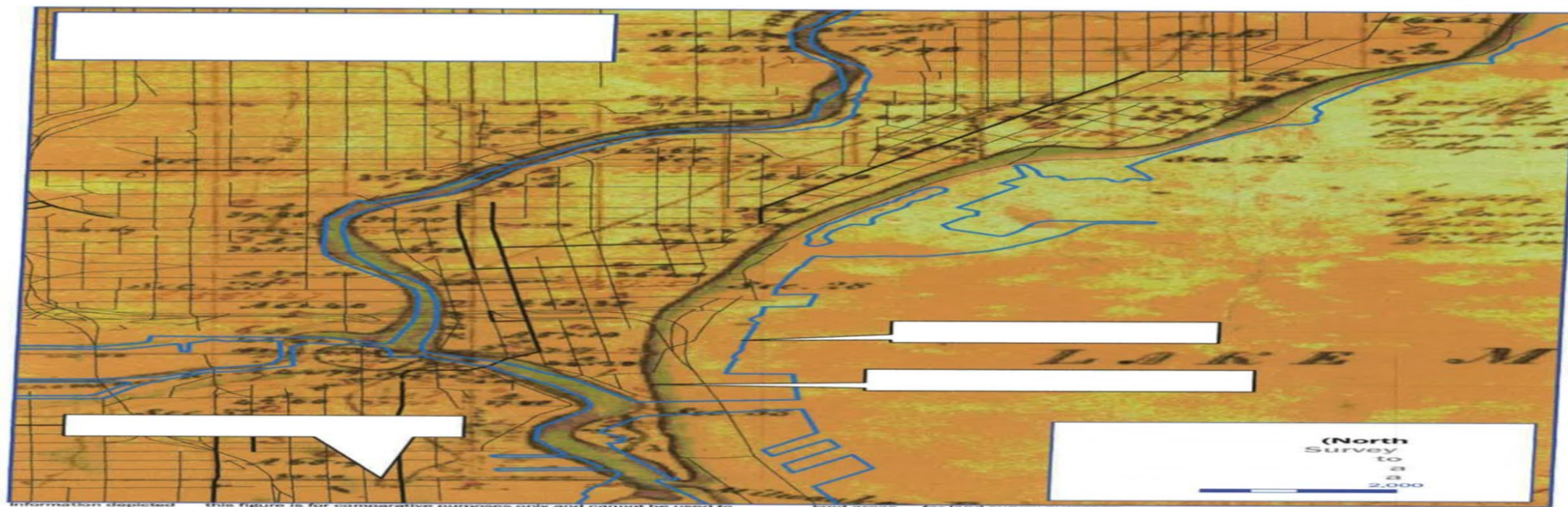
Workforce Housing

- Rolled out as a comprehensive package of bills
 - Tax credits
 - Allocation of ARPA \$
 - LIHTC
 - Local housing initiatives
 - Regulatory reform
 - Require munis to designate at least 1 area for MF
 - Residential as a permitted use in areas zoned commercial
 - Certified “Shovel-Ready” WFH Sites
 - New infrastructure financing tools

2021-2022 Legislative Session Update

Filled Lands

- Resolves **title issues** on land formerly lake bed/riverway
- Example -- **The Couture Project**, Milwaukee
- Every WI **Great Lake City** – MKE, Racine, Kenosha, Sheboygan, Marinette, Ashland, Bayfield, Superior



Current Law

- Process for filing a construction lien for unpaid work is fairly simple and straightforward.
- No procedure for removing excessive or disputed lien claims.
- Lien stays on title for 2 years.

Legislation

- Creates a process for property owner to require lien claimant to begin action w/in 60 days of written filing.

2021-2022 Legislative Session Update

Proceeds From Tax Foreclosure Sale

Current Law

- Counties have broad authority to seize property and sell it to pay property taxes owed
- County can keep any net proceeds from sale unless homestead property
- *Ritter v. Ross*, 207 Wis. 2d 476 (Ct. App. 1996)

Legislation

- Require any net proceeds to be returned to property owner regardless of property type

Legal Action Cases

WRA Legal Action Program

Madison Bird Glass Ordinance

Issue – Whether the City of Madison's Bird Glass Ordinance violates state law, which preempts local building code ordinances.

Arguments

WRA/CARW -- State commercial building code preempts local ordinance from creating a construction, alteration, or addition standard for commercial buildings.

Madison – BG Ordinance is a zoning standard and thus not subject to the preemption.

Issue – Whether an assessor can consider the intended future use of the property in determining whether it qualifies for use value.

Arguments

Nudo – Use value requires consideration only of current use, not future use.

Kenosha – Property did not have enough ag. use to qualify for use value. Consideration of future use is appropriate for residential classification.



REALTORS® POLITICAL ACTION COMMITTEE

Thank you
