



## 2013 ASSEMBLY BILL 798

February 20, 2014 – Introduced by Representatives STEINEKE, MURPHY, THIESFELDT and T. LARSON. Referred to Committee on Urban and Local Affairs.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT to repeal** 66.0217 (6) (a), 66.0217 (6) (c) and 66.0307 (4m) (c) 2.; **to**  
2     **renumber** 66.0307 (4m) (c) 1.; **to amend** 66.0203 (9) (e) (intro.), 66.0217 (4) (b)  
3     and 66.0217 (8) (a); and **to repeal and recreate** 66.0217 (6) (title) of the  
4     statutes; **relating to:** Department of Administration review of certain  
5     annexations.

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### *Analysis by the Legislative Reference Bureau*

Under current law, no city or village may annex town territory that is located in a county with a population of at least 50,000 people unless the Department of Administration (DOA) reviews the proposed annexation and offers an opinion as to whether the annexation is in the public interest. The city or village must review DOA's advice before taking final action on the proposed annexation. This bill repeals this provision.

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

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

6     **SECTION 1.** 66.0203 (9) (e) (intro.) of the statutes is amended to read:

**ASSEMBLY BILL 798****SECTION 1**

1           66.0203 (9) (e) (intro.) The determination of the board made in accordance with  
2 the standards under ss. 66.0205, and 66.0207 and ~~66.0217 (6) (e)~~ shall be one of the  
3 following:

4           **SECTION 2.** 66.0217 (4) (b) of the statutes is amended to read:

5           66.0217 (4) (b) The person who has the notice published shall serve a copy of  
6 the notice, within 5 days after its publication, upon the clerk of each municipality  
7 affected, upon the clerk of each school district affected and upon each owner of land  
8 in a town if that land will be in a city or village after the annexation. Service may  
9 be either by personal service or by certified mail with return receipt requested. If  
10 ~~required under sub. (6) (a), a copy of the notice shall be mailed to the department as~~  
11 ~~provided in that paragraph.~~

12           **SECTION 3.** 66.0217 (6) (title) of the statutes is repealed and recreated to read:

13           66.0217 (6) (title) DEPARTMENTAL DUTIES.

14           **SECTION 4.** 66.0217 (6) (a) of the statutes is repealed.

15           **SECTION 5.** 66.0217 (6) (c) of the statutes is repealed.

16           **SECTION 6.** 66.0217 (8) (a) of the statutes, as affected by 2013 Wisconsin Act 80,  
17 is amended to read:

18           66.0217 (8) (a) An ordinance for the annexation of the territory described in the  
19 annexation petition under sub. (3) may be enacted by a two-thirds vote of the elected  
20 members of the governing body not less than 20 days after the publication of the  
21 notice of intention to circulate the petition and not later than 120 days after the date  
22 of filing with the city or village clerk of the petition for annexation or of the  
23 referendum election if favorable to the annexation. ~~If the annexation is subject to~~  
24 ~~sub. (6) the governing body shall first review the reasons given by the department~~  
25 ~~that the proposed annexation is against the public interest.~~ An ordinance under this

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1 subsection may temporarily designate the classification of the annexed area for  
2 zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7)  
3 (d). Before introduction of an ordinance containing a temporary classification, the  
4 proposed classification shall be referred to and recommended by the plan  
5 commission. The authority to make a temporary classification is not effective when  
6 the county ordinance prevails during litigation as provided in s. 59.69 (7).

7 **SECTION 7.** 66.0307 (4m) (c) 1. of the statutes is renumbered 66.0307 (4m) (c).

8 **SECTION 8.** 66.0307 (4m) (c) 2. of the statutes is repealed.

9 (END)