



Legislation Details (With Text)

**File #:** 14517      **Version:** 2      **Name:** A resolution to fix the property tax exemption.  
**Type:** Resolution      **Status:** Passed  
**File created:** 4/23/2009      **In control:** Council Office  
**On agenda:** 5/5/2009      **Final action:** 5/5/2009  
**Enactment date:** 5/6/2009      **Enactment #:** RES-09-00403  
**Title:** AMENDED - To fix the property tax exemption.  
**Sponsors:** Michael Schumacher, David J. Cieslewicz, Tim Bruer, Mark Clear, Paul E. Skidmore, Julia S. Kerr, Joseph R. Clausius, Steve King, Satya V. Rhodes-Conway, Shiva Bidar, Lauren Cnare, Larry Palm, Michael E. Verveer, Judy Compton, Chris Schmidt, Bryon A. Eagon  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. tax exemption Act from 2008.pdf, 2. 14517 Substitute amendments.pdf, 3. 14517 Registration Stmt.pdf

Date	Ver.	Action By	Action	Result
5/5/2009	1	COMMON COUNCIL	Adopt With Amendment(s)	Pass
4/29/2009	1	Council Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS	

**Fiscal Note**

Adoption of this resolution has no budgetary impact.

**Title**

AMENDED - To fix the property tax exemption.

**Body**

WHEREAS, over the past many years, hundreds of housing units have been developed in the City of Madison by non-profit organizations specifically for providing affordable housing to low and moderate income residents; and

WHEREAS, the many non-profit organizations which have developed this housing did so with budgets and plans which included exemption from property tax; and

WHEREAS, the City of Madison has been involved in various ways with many of these housing developers, helping them develop this housing, with the understanding and expectation that they would be exempt from property tax; and

WHEREAS, these many non-profit housing developers have been in operation for years with exemption from property tax; and

WHEREAS, recent circuit court rulings have been made in the fall of 2008 which interpret the state law, which provides for property tax exemption, in such a way that may result in all or most of these housing developers losing their exemption; and

WHEREAS, many of these housing providers are unable to adjust their budgets to accommodate this property tax expense and may be forced either to shut down and thus displace their low income residents, or if they are able to raise their rents sufficiently then they will no longer be affordable to low-income renters; and

WHEREAS, the City of Madison does support efforts to amend the state law to protect the tax-exempt status of these housing providers; and

WHEREAS, it is the understanding that the state legislature is considering a number of different options for amendment to the statutes related to property tax exemption; and

WHEREAS, the Madison Common Council has directed the City Attorney and the Community Services Division to explore the scope of the consequences from a failure to amend applicable state laws and to explore all available options to mitigate the impact of losing tax-exempt status of non-profit housing providers;

NOW, THEREFORE, BE IT RESOLVED that the Common Council hereby adopts the following resolution:

1. The Madison Common Council directs the Mayor, His staff and the City's retained lobbyist to strongly urge the Wisconsin Legislature and the Governor to promptly amend the relevant state laws.

2.4. The Madison Common Council strongly urges the Wisconsin State Legislature and the Governor to promptly amend the relevant state laws referenced above.

3. 2. The Madison Common Council strongly urges the Wisconsin State Legislature and the Governor to do so as soon as possible, but no later than the end of the summer, with the amendments being retroactive to January 1, 2009, so that the housing providers will not lose their exemption from property tax for 2009.

4. 3. The Madison Common Council strongly urges the Wisconsin State Legislature and the Governor to adopt changes in State law substantially similar to those in March 2008 Assembly Bill 1 (the Budget Repair Bill), vetoed as policy, which is often called the "Vetoed Language" (attached), along with language substantially similar to that recommended by the City of Madison Property Tax Exemption Committee.

5. 4. That the Mayor's Office provides monthly reports to the Common Council, whether in person or in writing, about the progress of their efforts on this issue, starting with one month after this resolution is adopted.