

1 **WASHINGTON COUNTY, WISCONSIN**

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3 Date of enactment: 6/13/18  
4 Date of publication: \_\_\_\_\_

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6 **2018 RESOLUTION 18**

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8 **Support for Legislation to Close Property Tax Loopholes**  
9 **Used by National Chain Stores**

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11 **WHEREAS**, home owners in Wisconsin pay over 70% of the total statewide property tax  
12 levy; and

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14 **WHEREAS**, the disproportionate burden of property taxes on home owners will worsen  
15 unless legislators take action to close loopholes in property tax law that some national chains and  
16 big box retail establishments use to gain dramatic reductions in property taxes; and

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18 **WHEREAS**, lawsuits in Wisconsin have forced assessors to reduce the market value of  
19 thriving national retail stores, shifting the tax burden to local businesses and home owners; and

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21 **WHEREAS**, some national chain stores in Wisconsin have argued in communities across  
22 the state that the assessed value of their property for property tax purposes should only be half of  
23 its actual value on the open market; and

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25 **WHEREAS**, some big box chain stores are using what is known as the "Dark Store  
26 Theory" to argue that the assessed value of a new, thriving store should be based on comparing  
27 their buildings to nearby vacant or abandoned stores from a different market segment and in many  
28 cases, courts have sided with the national chain stores, requiring communities to refund tax  
29 revenue back to the chain stores; and

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31 **WHEREAS**, the Indiana State Legislature has on two occasions in the last three years,  
32 overwhelmingly passed bipartisan legislation prohibiting assessors from valuing new big box  
33 stores the same as nearby abandoned stores from a different market segment; and

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35 **WHEREAS**, Michigan State House overwhelmingly passed similar legislation in May of  
36 2016;

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38 **NOW, THEREFORE, BE IT RESOLVED** by the Washington County Board of Supervisors  
39 that this Board urges the Governor and Legislators to protect home owners and main street businesses  
40 from having more of the property tax burden shifted to them by passing legislation that allows for  
41 leases to be appropriately factored into the valuation of leased properties.

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43 **BE IT FURTHER RESOLVED** that this Board urges the Governor and Legislators to enact  
44 legislation requiring assessors to consider as comparable only those sales within the same market  
45 segment exhibiting a similar highest and best use rather than similarly sized, but vacant properties in  
46 abandoned locations when using the comparable sale method of valuation.

