

Rep. Allen: Submits budget motion designed to assist judges with “Dark Store” cases

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Contact:

Rep. Scott Allen

(608) 266-8580

Rep. Scott Allen (R-Waukesha) submitted a budget motion late last week to assist the Wisconsin state court system in designing a property tax assessment curriculum for judges. The move is designed to help judges understand the complexities of assessment practices, including the so-called “dark stores” theory.

“Every property owner has a right to challenge their assessments in a court of law,” said Rep. Allen. “Reviewing recent case law in this area, it appears that when cases do not settle and knowledgeable judges are able to make a determination, they get it right.”

The budget amendment would appropriate an additional \$10,000 to the Supreme Court’s budget, and suggests it use the funds to develop a property tax assessment curriculum. Due to separation of powers, the Legislature cannot require the Supreme Court to use the funds in this manner.

The proposal now goes to the Joint Finance Committee to determine whether the idea will go into the state budget.

“This proposal is responsive to concerns about the rising costs of property tax assessment litigation, the potential impact on taxpayers, and helps preserve an

independent judiciary.”