



22 EAST MIFFLIN STREET, SUITE 900  
MADISON, WI 53703  
TOLL FREE: 1.866.404.2700  
PHONE: 608.663.7188  
FAX: 608.663.7189  
www.wicounties.org

For Immediate Release  
Contact: Mark D. O'Connell  
WCA Executive Director  
866.404.2700

December 11, 2017

## **Local Government Officials Designate “Dark Store Day” to Draw Attention to Harmful Tax Shift**

To draw attention to a loophole utilized by big-box commercial retailers to significantly reduce their property tax assessments, local government officials have designated December 11, 2017 as “Dark Store Day.”

Local officials statewide are calling on state legislators to stop this tax shift to other taxpayers, mainly homeowners, by scheduling a vote in January on Senate Bill 291 and Senate Bill 292, which close the dark store loophole.

“As local officials, we are calling on our state legislators to stop this tax shift,” said WCA Executive Director Mark O’Connell. “We are requesting they schedule a vote in January on Senate Bill 291 and 292.”

SB 291 closes a gap in Wisconsin’s property assessment laws that allow single tenant commercial properties, like Walgreens and CVS, to argue that the value of their property is not what it appears to be. As a result of a 2008 Supreme Court ruling, chain drug stores have been paying taxes on their properties in Wisconsin at half their actual fair market selling price; a discount unavailable to residential and owner-occupied commercial properties.

SB 292 nullifies a related but different tax avoidance tactic. National big box retail chains and other commercial property owners are challenging their assessed values using the “Dark Store Strategy” to argue that their thriving businesses must be assessed for tax purposes as though they were a vacant, boarded up property. The Indiana legislature and Michigan courts have recently invalidated the dark store theory in those states. SB 292 makes it clear that the Dark Store loophole is closed in Wisconsin.

“Without a doubt commercial businesses provide value to local communities. However, property taxes are needed to provide services local taxpayers and businesses require and expect,” said O’Connell. “This issue is not about local governments collecting more in property taxes. Plain and simple, this is about keeping property tax bills as equitable and low as possible for all taxpayers, not just commercial retailers.”

**-More-**

**WCA Dark Store-  
Add One-**

He continued, “We are calling on Wisconsin citizens to contact their legislators today, urging them to pass the Dark Store and *Walgreens* reversal bills.”

###