

**2001 DRAFTING REQUEST**

**Bill**

Received: 01/29/2001

Received By: jkreye

Wanted: Soon

Identical to LRB:

For: Administration-Budget 6-8593

By/Representing: Holden

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Alt. Drafters:

Subject: Tax - sales

Extra Copies:

**Pre Topic:**

DOA:.....Holden -

**Topic:**

Sales tax on custom computer software

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	jkreye 01/29/2001	gilfokm 01/29/2001	rschluet 01/29/2001	_____	lrb_docadmin 01/30/2001		S&L

FE Sent For:

<END>

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1/1	jkreye	1-1/29-01 KMG	1-29-01	1-29-01 KH			

FE Sent For:

<END>

**Kreye, Joseph**

2902

**From:** Miller, Steve  
**Sent:** Monday, January 29, 2001 2:53 PM  
**To:** Kreye, Joseph  
**Subject:** FW: draft request

-----Original Message-----

**From:** Holden, Kerry  
**Sent:** Monday, January 29, 2001 2:48 PM  
**To:** Miller, Steve  
**Cc:** Currier, Dawn  
**Subject:** draft request

Could you please have drafted, for inclusion in the Governor's budget, a provision that would make taxable the sales of customized computer software? Please let me know if you have any questions. Thanks.

**Kerry Holden**  
Tax, Finance & Local Government Team  
DOA State Budget Office  
Phone: (608)266-8593  
Fax: (608)267-0372  
Email: Kerry.Holden@doa.state.wi.us

amend 77.51(20)

do search



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-2302/7

JK: King

RMK

DOA:.....Holden - Sales tax on custom computer software

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

m 1-29-01

SOON

head taxation  
sub other taxation

1 AN ACT <sup>DON'T GEN. CAT.</sup> relating to: the budget.

**Analysis by the Legislative Reference Bureau**

Under current law, the sales of tangible personal property that are subject to a sales tax or a use tax include sales of computer programs, except custom computer programs. Under ~~the~~ bill, the sales of custom computer programs are also subject to a sales tax or a use tax. <sup>↳ this</sup>

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

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

2 SECTION 1. 77.51 (20) of the statutes is amended to read:

3 77.51 (20) "Tangible personal property" means all tangible personal property

4 of every kind and description and includes electricity, natural gas, steam and water <sup>↳</sup>

5 and also leased property affixed to realty if the lessor has the right to remove the

6 property upon breach or termination of the lease agreement, unless the lessor of the

1 property is also the lessor of the realty to which the property is affixed. "Tangible  
2 personal property" also includes coins and stamps of the United States sold or traded  
3 as collectors' items above their face value, and computer programs ~~except~~, including  
4 custom computer programs.

**History:** 1973 c. 333; 1975 c. 39, 41, 99, 224; 1975 c. 413 s. 18; 1977 c. 29, 418; 1979 c. 1 ss. 57 to 59, 61, 62; 1979 c. 174; 1981 c. 20; 1981 c. 79 s. 17; 1983 a. 23, 27; 1983 a. 189 ss. 92 to 108, 329 (12); 1983 a. 510, 538; 1983 a. 544 ss. 13 to 46, 47 (1) (b); 1985 a. 29, 332; 1987 a. 27, 399; 1989 a. 31, 335, 336; 1991 a. 39, 269, 316; 1993 a. 16, 112, 184; 1997 a. 27, 237; 1999 a. 9, 83.

5 **SECTION 9444. Effective dates; revenue.**

6 (1) CUSTOM COMPUTER PROGRAMS. The treatment of sections 77.51 (20) of the  
7 statutes takes effect on first day of the 2nd month beginning after publication.

8 (END)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-2302/1

JK:kmg:rs

DOA:.....Holden - Sales tax on custom computer software

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**TAXATION**

**OTHER TAXATION**

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