

SENATE BILL 12 (LRB -0774)

An Act to repeal 77.52 (4); and to amend 66.0615 (1m) (f) 2., 77.982 (2), 77.991 (2), 77.9951 (2) and 77.9972 (2) of the statutes; relating to: allowing retailers the ability to offer discounts equal to the state and local sales taxes.

2011

01-25.	S.	Introduced by Senators Wanggaard, Lazich and Grothman ; cosponsored by Representatives Kooyenga, Spanbauer, Vos, Bies and Kaufert .	
01-25.	S.	Read first time and referred to committee on Workforce Development, Small Business, and Tourism	61
03-01.	S.	Public hearing held.	
03-08.	S.	Executive action taken.	
03-08.	S.	Report passage recommended by committee on Workforce Development, Small Business, and Tourism, Ayes 3, Noes 0	175
03-08.	S.	Available for scheduling.	
03-08.	S.	Referred to joint committee on Finance by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 3, Noes 0	175
03-08.	S.	Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 3, Noes 0	175
03-08.	S.	Placed on calendar 3-9-2011 pursuant to Senate Rule 18(1)	175
03-09.	S.	Read a second time	180
03-09.	S.	Ordered to a third reading	180
03-09.	S.	Rules suspended	180
03-09.	S.	Read a third time and passed , Ayes 18, Noes 0	180
03-09.	S.	Ordered immediately messaged	181
03-22.	A.	Received from Senate	200
03-22.	A.	Read first time and referred to committee on Homeland Security and State Affairs	200
03-31.	A.	Public hearing held.	
04-07.	A.	Executive action taken.	
04-07.	A.	Report concurrence recommended by committee on Homeland Security and State Affairs, Ayes 8, Noes 0	224
04-07.	A.	Referred to committee on Rules	224
04-12.	A.	Placed on calendar 4-14-2011 by committee on Rules.	
04-14.	A.	Rules suspended to withdraw from calendar and take up	243
04-14.	A.	Read a second time	243
04-14.	A.	Ordered to a third reading	243
04-14.	A.	Refused to suspend rules to read a third time, Ayes 57, Noes 38	243
05-10.	A.	Made a special order of business at 10:06 A.M. on 5-11-2011 pursuant to Assembly Resolution 9	287
05-11.	A.	Read a third time and concurred in .	
05-11.	A.	Ordered immediately messaged.	
05-12.	S.	Received from Assembly concurred in.	

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**2011
ENROLLED BILL**

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

11 -0774 1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

5-12-11
Date

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Enrolling Drafter



2011 SENATE BILL 12

January 25, 2011 – Introduced by Senators WANGGAARD, LAZICH and GROTHMAN, cosponsored by Representatives KOOYENGA, SPANBAUER, VOS, BIES and KAUFERT. Referred to Committee on Workforce Development, Small Business, and Tourism.

1 **AN ACT to repeal** 77.52 (4); and **to amend** 66.0615 (1m) (f) 2., 77.982 (2), 77.991
2 (2), 77.9951 (2) and 77.9972 (2) of the statutes; **relating to:** allowing retailers
3 the ability to offer discounts equal to the state and local sales taxes.

Analysis by the Legislative Reference Bureau

Under current law, a retailer may not advertise that any state or local sales tax applicable to a transaction will be assumed or absorbed by the retailer or not added to the price of goods and services. A retailer who violates this prohibition is guilty of a misdemeanor. This bill eliminates the prohibition. Under the bill, a retailer who advertises that the sales tax will be assumed by the retailer or not added to the sales price is still responsible for paying the applicable sales tax.

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

4 SECTION 1. 66.0615 (1m) (f) 2. of the statutes is amended to read:
5 66.0615 (1m) (f) 2. Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (3),
6 (4), (13), (14), (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60,
7 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under
8 subch. III of ch. 77, apply to the tax described under subd. 1.

SENATE BILL 12**SECTION 2**

1 **SECTION 2.** 77.52 (4) of the statutes is repealed.

2 **SECTION 3.** 77.982 (2) of the statutes is amended to read:

3 77.982 (2) Sections 77.51 (1f), (3pf), (9p), (12m), (14), (14g), (15a), and (15b),
4 77.52 (1b), (3), ~~(4)~~, (5), (13), (14), and (18) to (23), 77.54 (51) and (52), 77.58 (1) to (5),
5 (6m), and (7), 77.522, 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15),
6 and 77.62, as they apply to the taxes under subch. III, apply to the tax under this
7 subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the
8 tax under this subchapter.

9 **SECTION 4.** 77.991 (2) of the statutes is amended to read:

10 77.991 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), ~~(4)~~,
11 (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59, 77.60,
12 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under
13 subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the
14 taxes under subch. V, applies to the tax under this subchapter. The renter shall
15 collect the tax under this subchapter from the person to whom the passenger car is
16 rented.

17 **SECTION 5.** 77.9951 (2) of the statutes is amended to read:

18 77.9951 (2) Sections 77.51 (3r), (12m), (14), (14g), (15a), and (15b), 77.52 (1b),
19 (3), ~~(4)~~, (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585,
20 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to
21 the taxes under subch. III, apply to the fee under this subchapter. The renter shall
22 collect the fee under this subchapter from the person to whom the vehicle is rented.

23 **SECTION 6.** 77.9972 (2) of the statutes is amended to read:

24 77.9972 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3),
25 ~~(4)~~, (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59,

SENATE BILL 12

1 77.60, 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes
2 under subch. III, apply to the fee under this subchapter. Section 77.73, as it applies
3 to the taxes under subch. V, applies to the fee under this subchapter. The renter shall
4 collect the fee under this subchapter from the person to whom the passenger car is
5 rented.

6

(END)