



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2019 Senate Bill 54**

**Senate Amendment 1**

*Memo published: May 1, 2019*

*Contact: Dan Schmidt, Principal Analyst*

### **2019 SENATE BILL 54**

Under current law, when a retailer goes out of business or sells out its stock of goods, the retailer's successors must withhold from the purchase price an amount sufficient to cover the retailer's sales and use tax liability. If a successor fails to make such withholding, the successor becomes personally liable for the sales and use tax liability, up to the amount the successor paid for the retailer's business or stock of goods. Current law also precludes disclosure by the Department of Revenue (DOR) of such liabilities to potential successors.

Senate Bill 54 specifies that DOR must disclose information about a retailer's outstanding sales and use tax liability to any person who provides satisfactory evidence to the department that the person intends to purchase the retailer's stock of goods or become the successor or assignee of the retailer.

### **SENATE AMENDMENT 1**

Senate Amendment 1 to Senate Bill 54 clarifies that, for purposes of providing satisfactory evidence to DOR, the person must provide written documentation, signed by the retailer, which acknowledges the person as a purchaser or potential purchaser, successor, or assignee.

### **BILL HISTORY**

On May 1, 2019, the Senate Committee on Agriculture, Revenue and Financial Institutions recommended adoption of Assembly Amendment 1 and passage of Senate Bill 54, as amended, on consecutive votes of Ayes, 9; Noes, 0.

DWS:ksm