

**FISCAL ESTIMATE FORM**

**2011 Session**

- ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

|  |
|--|
| <b>LRB #</b>                                   |
| <b>INTRODUCTION #</b>                          |
| Admin rule #      Tax 1 and 11: 2011-13 Budget |

**Fiscal Effect**

**State:**  No State Fiscal Effect  
 Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

- |  |   |
|--|---|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues |
| <input type="checkbox"/> Create New Appropriation        |   |

Increase Costs - May be Possible to Absorb  
 Within Agency's Budget  Yes  No

Decrease Costs

**Local:**  No Local Government Costs

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Increase Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenues<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory |
| 2. <input type="checkbox"/> Decrease Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 4. <input type="checkbox"/> Decrease Revenues<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory |

5. Types of Local Governmental Units Affected:

- Towns  Villages  Cities  
 Counties  Others \_\_\_\_\_  
 School Districts  WTCS Districts

**Fund Sources Affected**

- GPR  FED  PRO  PRS  SEG  SEG-S

**Affected Ch. 20 Appropriations**

**Assumptions Used in Arriving at Fiscal Estimate:**

The proposed rule updates Chapter TAX 11 of the Administrative Code, pertaining to the sales and use tax, to reflect certain sales tax changes contained in 2011 Wisconsin Act 32, the 2011-13 Budget Bill. The proposed rule also amends chapter Tax 1, pertaining to tax administration.

The proposed rule modifies the administrative code to reflect law changes, improve clarity, and add examples to illustrate the tax treatment of certain items.

The proposed rule includes:

- Changes under 2011 Wisconsin Act 32, including:
  - A sales and use tax exemption for modular and manufactured homes used in real property construction activities outside Wisconsin.
  - A sales and use tax exemption for vegetable oil or animal fat converted to motor vehicle fuel that is exempt from motor vehicle fuel tax.
  - The repeal of regional transit authorities.
  - Change in the tax treatment of items provided free of charge by a retailer.
- Repeal of the Wisconsin Quality Home Care Authority under 2011 Wisconsin Act 10.
- Updates and clarifications to reflect amendments to the Streamlined Sales and Use Tax Agreement.
- Clarification and examples relating to exempt occasional sales.
- Changes to reflect the federal preemption on the taxation of air commerce.
- Clarification that if electronic fund transfers payments are due on a day when the Federal Reserve Bank is closed, the payment due date is revised to be the next day the Federal Reserve Bank is open.

The fiscal effect of the exemptions created under 2011 Wisconsin Act 32 has already been reflected under general fund condition statements subsequent to 2011 Wisconsin Act 32. Since the fiscal impact of the statutory changes has already been reflected, the proposed rule has no fiscal effect.

**FISCAL ESTIMATE WORKSHEET**

Detailed Estimate of Annual Fiscal Effect

**2011 Session**

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**LRB #**  
**INTRODUCTION #**

Admin. Rule #  
 Tax 1 and 11  
 2011-13 Budget

**Subject PROPOSED ORDER OF THE DEPARTMENT OF REVENUE REPEALING, RENUMBERING, RENUMBERING AND AMENDING, AMENDING, REPEALING AND RECREATING, AND CREATING RULES**

**I. One-Time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

| II. Annualized Costs:   | Annualized Fiscal impact on State funds from: |                 |
|---|---|-----------------|
| A. State Costs by Category  | Increased Costs                               | Decreased Costs |
| State Operations - Salaries and Fringe  | \$  | \$ -            |
| (FTE Position Changes)  | (     )                                       | -               |
| State Operations-Other Costs  |   |                 |
| Local Assistance  |   | -               |
| Aids to Individuals or Organizations  |   | -               |
| <b>TOTAL State Costs by Category</b>  | <b>\$</b>                                     | <b>\$</b>       |
| B. State Costs by Source of Funds   | Increased Costs                               | Decreased Costs |
| GPR   | \$  | \$              |
| FED   |   | -               |
| PRO/PRS   |   | -               |
| SEG/SEG-S   | \$  | -               |
| III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.) | Increased Rev.                                | Decreased Rev.  |
| GPR Taxes   | \$  | \$ -            |
| GPR Earned  |   | -               |
| FED   |   | -               |
| PRO/PRS   |   | -               |
| SEG/SEG-S   |   | -               |
| <b>TOTAL State Revenues</b>   | <b>\$</b>                                     | <b>\$ -</b>     |

**NET ANNUALIZED FISCAL IMPACT**

|                        | <u>STATE</u> | <u>LOCAL</u> |
|------------------------|--------------|--------------|
| NET CHANGE IN COSTS    | \$ 0         | \$ 0         |
| NET CHANGE IN REVENUES | \$ 0         | \$ 0         |

|  |   |                    |
|--|---|--------------------|
| Agency/Prepared by<br>Wisconsin Department of Revenue<br>Bob Schmidt<br>608 267-9892 | Authorized Signature/Telephone No.<br>Wisconsin Department of Revenue<br>Paul Ziegler<br>608 266-5773 | Date<br>01/11/2012 |
|--|---|--------------------|