



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2017 Assembly Bill 944	Assembly Amendments 1 to 4
<i>Memo published: March 2, 2018</i>	<i>Contact: Scott Grosz, Principal Attorney</i>

2017 ASSEMBLY BILL 944

2017 Assembly Bill 944 creates a sales and use tax rebate of \$100 per qualifying child, to be paid by September 1, 2018, as well as a sales tax holiday for qualifying purchases made on Saturday August 4, and Sunday, August 5, 2018. With regard to the sales tax holiday, certain purchases are excluded from the holiday, including, "Tangible or intangible property used to access telecommunications services described under s. 77.52 (2) (a) 5. or 5m."

Section 77.52 (2) (a) 5. and 5m., Stats., refers to the following services:

- The sales of Internet access services.
- The sale of prepaid calling services and intrastate, interstate, and international telecommunications services, except 800 services.
- The sale of ancillary services, except detailed telecommunications billing services.
- The sale of services that consist of recording telecommunications messages and transmitting them to the purchaser of the service or at that purchaser's direction, but not including services that are taxable under subd. 5. or services that are incidental to another service that is not taxable under subch. III of ch. 77, Stats., and sold to the purchaser of the incidental service.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 removes the word “telecommunications” from the description of purchases excluded from the sales tax holiday. Thus, under the amendment, the sales tax holiday excludes any tangible or intangible property used to access services described under s. 77.52 (2) (a) 5. and 5m., Stats., regardless of whether those services are telecommunications services.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 modifies the definition of a qualified child for purposes of the \$100 rebate to specify that the child must be a claimant’s dependent, rather than both the claimant’s child and the claimant’s dependent.

ASSEMBLY AMENDMENT 3

Assembly Amendment 3 specifies that an individual who claims the \$100 rebate must be a U.S. citizen.

ASSEMBLY AMENDMENT 4

Assembly Amendment 4 specifies that a retailer may choose not to offer the exemption from sales tax during the sales tax holiday, if the retailer provides clear and concise notification to all consumers who enter the premises during the sales tax holiday.

BILL HISTORY

Representative Petersen offered Assembly Amendment 1 on February 14, 2018. On the same day, the Assembly Committee on Ways and Means recommended adoption of Assembly Amendment 1 and passage of Assembly Bill 944, as amended, on successive votes of Ayes, 11; Noes, 5.

Representative Petersen also offered Assembly Amendments 2 to 4. On February 22, 2018, the Wisconsin Assembly adopted Assembly Amendments 1 to 4, and passed Assembly Bill 944 on a vote of Ayes, 61; Noes, 35.

SG:jal