

State of Misconsin 2005 - 2006 LEGISLATURE

## 2005 ASSEMBLY BILL 121

- February 22, 2005 Introduced by Representatives FRISKE, GRONEMUS, HUNDERTMARK, FREESE, OTT, SHILLING, GUNDERSON, BIES, STASKUNAS, M. WILLIAMS, MURSAU, POPE-ROBERTS, BALLWEG, MUSSER, PETTIS, STRACHOTA, HINES, LEHMAN, MCCORMICK, LOTHIAN and ALBERS, cosponsored by Senators BROWN, LASSA, REYNOLDS and MILLER. Referred to Committee on Ways and Means. Referred to Joint Survey Committee on Tax Exemptions.
- AN ACT *to create* 78.01 (2) (g), 78.01 (2) (gm), 78.01 (2m) (h) and 78.01 (2m) (hm) of the statutes; **relating to:** exempting school districts from the motor vehicle fuel tax.

## Analysis by the Legislative Reference Bureau

Under current law, an excise tax is imposed, generally, on gasoline and diesel fuel received by a fuel supplier for sale in this state, for export to this state, or for sale for export to this state. Annually, the Department of Revenue adjusts the excise tax rate based on the U.S. consumer price index. The excise tax on gasoline and diesel fuel is passed on to the consumer of the gasoline or diesel fuel.

This bill creates an excise tax exemption on gasoline or diesel fuel sold to and used by a school district in this state to transport students to and from school activities, or gasoline and diesel fuel sold to a person who transports students to and from school activities pursuant to a contract with a school district.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state* 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:

2005 – 2006 Legislature

## **ASSEMBLY BILL 121**

1	<b>SECTION 1.</b> 78.01 (2) (g) of the statutes is created to read:
2	78.01 (2) (g) Gasoline sold to and used by a school district in this state to
3	transport students to and from school activities.
4	<b>SECTION 2.</b> 78.01 (2) (gm) of the statutes is created to read:
5	78.01 (2) (gm) Gasoline sold to a person who transports students to and from
6	school activities pursuant to a contract with a school district and used by the person
7	for such transportation.
8	<b>SECTION 3.</b> 78.01 (2m) (h) of the statutes is created to read:
9	78.01 (2m) (h) It is sold to and used by a school district in this state to transport
10	students to and from school activities.
11	<b>SECTION 4.</b> 78.01 (2m) (hm) of the statutes is created to read:
12	78.01 (2m) (hm) It is sold to a person who transports students to and from
13	school activities pursuant to a contract with a school district and used by the person
14	for such transportation.
15	SECTION 5. Initial applicability.
16	(1) The treatment of section 78.01 (2) (gm) and (2m) (hm) of the statutes first
17	applies to contracts that are entered into, extended, modified, or renewed on the
18	effective date of this subsection.
19	SECTION 6. Effective date.
20	(1) This act takes effect on July 1, 2005.
21	(END)

- 2 -