



## 2005 SENATE BILL 9

January 18, 2005 - Introduced by Senators ROESSLER, ZIEN, A. LASEE and STEPP, cosponsored by Representatives JENSEN, RHOADES, AINSWORTH, OWENS, JESKEWITZ, McCORMICK, TOWNSEND, FREESE, HAHN, KREIBICH, F. LASEE, LOTHIAN, MUSSER, NISCHKE, PETROWSKI, VAN ROY, VOS, ZIEGELBAUER and NASS. Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

1     **AN ACT** *to renumber and amend* 72.02; and *to create* 72.02 (2) of the statutes;  
2           **relating to:** reducing the amount of the estate tax imposed by the state.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the state imposes an estate tax on the transfer of all property that is subject to a federal estate tax and that is within the jurisdiction of this state for tax purposes. Under current law, because of provisions in the federal estate tax law, the state will impose no estate tax on transfers related to deaths occurring after December 31, 2007, unless the federal government revives the federal estate tax.

Under this bill, the amount of the state estate tax imposed on the transfer of all property that is subject to a federal estate tax and that is within the jurisdiction of this state for tax purposes is reduced by 33.3 percent for transfers because of deaths occurring in 2006 and 66.7 percent for transfers because of deaths occurring in 2007.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3           **SECTION 1.** 72.02 of the statutes is renumbered 72.02 (1) and amended to read:

**SENATE BILL 9****SECTION 1**

1           72.02 (1) An estate tax is imposed upon the transfer of all property that is  
2      subject to a federal estate tax and that has a taxable situs in this state. The Except  
3      as provided in sub. (2), the tax imposed is equal to the federal credit against the  
4      federal estate tax as finally determined. If only a portion of a decedent's property has  
5      a taxable situs in this state, the tax imposed is the amount obtained by multiplying  
6      the federal credit by a fraction the numerator of which is the value of the decedent's  
7      estate that has a taxable situs in this state and the denominator of which is the total  
8      value of the property in the estate that qualifies for the federal credit.

9           **SECTION 2.** 72.02 (2) of the statutes is created to read:

10          72.02 (2) The tax imposed under sub. (1) shall be reduced by 33.3 percent for  
11      transfers because of deaths occurring in 2006 and 66.7 percent for transfers because  
12      of deaths occurring in 2007.

13                                       **(END)**