

2001 SENATE BILL 213

July 2, 2001 – Introduced by Senators HUELSMAN, COWLES, SCHULTZ and ROSENZWEIG, cosponsored by Representatives PETTIS, POWERS, GROTHMAN, VRAKAS, LIPPERT and OWENS. Referred to Joint survey committee on Tax Exemptions.

1 **AN ACT** *to create* 77.25 (15t) of the statutes; **relating to:** a real estate transfer
2 fee exemption for a conveyance between related corporations, partnerships,
3 and limited liability companies.

Analysis by the Legislative Reference Bureau

Under current law, with certain exemptions, a person who conveys real estate to another person is subject to a real estate transfer fee equal to 30 cents for each \$100 of the real estate's value. A conveyance of real estate between a corporation and its shareholders is exempt from the transfer fee if all the shareholders are related to each other as spouses, lineal ascendants, lineal descendants, or siblings. A conveyance of real estate between a partnership and its partners is exempt from the transfer fee if all the partners are related to each other as spouses, lineal ascendants, lineal descendants, or siblings. A conveyance of real estate between a limited liability company and its members is exempt from the transfer fee if all the members are related to each other as spouses, lineal ascendants, lineal descendants, or siblings.

Under this bill, a conveyance of real estate between a corporation, partnership, or limited liability company and a corporation, partnership, or limited liability company is exempt from the real estate transfer fee if all the shareholders, partners, or members of the entity transferring the real estate are the same persons as the shareholders, partners, or members of the entity receiving the real estate.

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.

