

2001 SENATE BILL 405

January 29, 2002 – Introduced by Senators JAUCH and BURKE, cosponsored by Representatives MILLER, MUSSER, TURNER and LASSA. Referred to Committee on Universities, Housing, and Government Operations.

1 **AN ACT to amend** 77.70, 77.71 (1), 77.71 (2), 77.71 (3) and 77.71 (4) of the
2 **statutes; relating to:** the tax rate of the county sales tax and use tax.

Analysis by the Legislative Reference Bureau

Under current law, a county may impose, by ordinance, a sales and use tax on tangible personal property and services sold in the county and on tangible personal property stored or used in the county. The tax rate is 0.5% of the amount the purchaser paid for the tangible personal property or service.

Under this bill, a county may impose, by ordinance, a sales and use tax at a rate of either 0.5% of the amount the purchaser paid for the tangible personal property or service or 0.75% of the amount the purchaser paid for the tangible personal property or service.

For further information see the **local** 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:

3 **SECTION 1.** 77.70 of the statutes is amended to read:
4 **77.70 Adoption by county ordinance.** Any county desiring to impose county
5 sales and use taxes under this subchapter may do so by the adoption of an ordinance,

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1 stating its purpose and referring to this subchapter. The county sales and use taxes
2 may be imposed at a rate of either 0.5% of the gross receipts or sales price or 0.75%
3 of the gross receipts or sales price and only for the purpose of directly reducing the
4 property tax levy and only in their entirety as provided in this subchapter. That
5 ordinance shall be effective on the first day of January, the first day of April, the first
6 day of July or the first day of October. A certified copy of that ordinance shall be
7 delivered to the secretary of revenue at least 120 days prior to its effective date. The
8 repeal of any such ordinance shall be effective on December 31. A certified copy of
9 a repeal ordinance shall be delivered to the secretary of revenue at least 60 days
10 before the effective date of the repeal.

11 **SECTION 2.** 77.71 (1) of the statutes is amended to read:

12 77.71 (1) For the privilege of selling, leasing or renting tangible personal
13 property and for the privilege of selling, performing or furnishing services a sales tax
14 is imposed upon retailers at the rate of ~~0.5%~~ under s. 77.70 in the case of a county
15 tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the
16 gross receipts from the sale, lease or rental of tangible personal property, except
17 property taxed under sub. (4), sold, leased or rented at retail in the county or special
18 district or from selling, performing or furnishing services described under s. 77.52
19 (2) in the county or special district.

20 **SECTION 3.** 77.71 (2) of the statutes is amended to read:

21 77.71 (2) An excise tax is imposed at the rate of ~~0.5%~~ under s. 77.70 in the case
22 of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district
23 tax of the sales price upon every person storing, using or otherwise consuming in the
24 county or special district tangible personal property or services if the property or
25 service is subject to the state use tax under s. 77.53, except that a receipt indicating

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1 that the tax under sub. (1), (3) or (4) has been paid relieves the buyer of liability for
2 the tax under this subsection and except that if the buyer has paid a similar local tax
3 in another state on a purchase of the same property or services that tax shall be
4 credited against the tax under this subsection and except that for motor vehicles that
5 are used for a purpose in addition to retention, demonstration or display while held
6 for sale in the regular course of business by a dealer the tax under this subsection
7 is imposed not on the sales price but on the amount under s. 77.53 (1m).

8 **SECTION 4.** 77.71 (3) of the statutes is amended to read:

9 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
10 activities within the county or special district, at the rate of ~~0.5%~~ under s. 77.70 in
11 the case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special
12 district tax of the sales price of tangible personal property that is used in
13 constructing, altering, repairing or improving real property and that becomes a
14 component part of real property in that county or special district, except that if the
15 contractor has paid the sales tax of a county in the case of a county tax or of a special
16 district in the case of a special district tax in this state on that property, or has paid
17 a similar local sales tax in another state on a purchase of the same property, that tax
18 shall be credited against the tax under this subsection.

19 **SECTION 5.** 77.71 (4) of the statutes is amended to read:

20 77.71 (4) An excise tax is imposed at the rate of ~~0.5%~~ under s. 77.70 in the case
21 of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district
22 tax of the sales price upon every person storing, using or otherwise consuming a
23 motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer,
24 semitrailer, all-terrain vehicle or aircraft, if that property must be registered or
25 titled with this state and if that property is to be customarily kept in a county that

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1 has in effect an ordinance under s. 77.70 or in a special district that has in effect a
2 resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local
3 sales tax in another state on a purchase of the same property that tax shall be
4 credited against the tax under this subsection.

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(END)