

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/26/2001

Received By: jkreye

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Emerson

This file may be shown to any legislator: NO

Drafter: jkreye

May Contact:

Addl. Drafters:

Subject: Tax - property

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Emerson - AM114,

Topic:

Full value of computers exempt from property taxation to be determined on 2-year depreciation schedule

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	jkreye 06/26/2001	jdyer 06/27/2001	haugeca 06/27/2001	_____	lrb_docadmin 06/27/2001		

FE Sent For:

<END>

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1?	jkreye	1 6/27 jld	CH 6/27	CH 6/27 6/27			

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State of Wisconsin
2001 - 2002 LEGISLATURE

UPS Fix request
sheet

LRBb1838/7

JK:.....

JLD RMR

ARC:.....Emerson – AM114, Full value of computers exempt from property
taxation to be determined on 2-year depreciation schedule

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

m 6-26-01

substitute
amendment

1 At the locations indicated, amend the ~~bill~~ as follows:

2 1. Page 706, line 6: after that line insert:

3 "SECTION 2114n. 70.35 (1) of the statutes is amended to read:

4 70.35 (1) To determine the amount and value of any personal property for

5 which any person, firm or corporation should be assessed, any assessor may examine

6 such person or the managing agent or officer of any firm or corporation under oath

7 as to all such items of personal property, the taxable value thereof as defined in s.

8 70.34 if the property is taxable and the fair full market value, as determined under

9 s. 79.095 (3) (b), if the property is exempt under s. 70.11 (39). In the alternative the

10 assessor may require such person, firm or corporation to submit a return of such

1 personal property and of the taxable value thereof. There shall be annexed to such
2 return the declaration of such person or of the managing agent or officer of such firm
3 or corporation that the statements therein contained are true.

History: 1977 c. 29 ss. 750, 1646 (3); 1983 a. 189 s. 329 (20); 1997 a. 237.

4 **SECTION 2114p.** 70.35 (2) of the statutes is amended to read:

5 70.35 (2) The return shall be made and all the information therein requested
6 given by such person on a form prescribed by the assessor with the approval of the
7 department of revenue which shall provide suitable schedules for such information
8 bearing on value as the department deems necessary to enable the assessor to
9 determine the true cash value of the taxable personal property, ³ and the full value ← score semicolon
10 of the personal property that is exempt under s. 70.11 (39), as determined under s.
11 79.095 (3) (b); that is owned or in the possession of such person on January 1 as
12 provided in s. 70.10. The return may contain methods of deriving assessable values
13 from book values and for the conversion of book values to present values, and a
14 statement as to the accounting method used. No person shall be required to take
15 detailed physical inventory for the purpose of making the return required by this
16 section.”.

History: 1977 c. 29 ss. 750, 1646 (3); 1983 a. 189 s. 329 (20); 1997 a. 237.

17 **2.** Page 713, line 6: after that line insert:

18 “**SECTION 2130b.** 70.995 (12r) of the statutes is amended to read:

19 70.995 (12r) The department of revenue shall calculate the value of property
20 that is used in manufacturing, as defined in this section, and that is exempt under
21 s. 70.11 (39), as provided under s. 79.095 (3) (b).”.

History: 1973 c. 90, 283, 333; 1975 c. 39, 144, 199, 200, 213, 224; 1977 c. 29 ss. 776 to 782, 1646 (3), 1647 (5m), 1656 (38); 1977 c. 31, 142, 272; 1977 c. 300 ss. 7, 8;
1977 c. 328, 377, 418, 447; 1979 c. 34 ss. 883m, 2102 (39) (g); 1979 c. 221; 1981 c. 20; 1983 a. 27; 1983 a. 275 s. 15 (8); 1985 a. 29; 1985 a. 120 s. 3202 (46); 1987 a. 27, 196,
399; 1989 a. 31; 1991 a. 39, 269; 1993 a. 307, 391; 1995 a. 227, 408; 1997 a. 35, 237, 250; 1999 a. 32.

22 **3.** Page 854, line 3: after that line insert:

1 “SECTION 2291d. 79.095 (3) of the statutes is renumbered 79.095 (3) (a) and
2 amended to read:

3 79.095 (3) (a) ~~REVIEW BY DEPARTMENT~~ The department shall adjust each rate
4 reported under sub. (2) (b) to a full-value rate. The department shall review and
5 correct the information submitted under sub. (2) (a), shall determine the full value,
6 as provided under par. (b), of all of the computers reported under sub. (2) (a) and of
7 all the computers under s. 70.995 (12r) and, on or before October 1, shall notify each
8 taxing jurisdiction of the full value of the computers that are exempt under s. 70.11
9 (39) and that are located in the jurisdiction. The department shall adjust the full
10 value that is reported to taxing jurisdictions under this subsection in the year after
11 an error occurs or a value has been changed due to an appeal. All disputes between
12 the department and municipalities about the value of the property reported under
13 sub. (2) (a) or of the property under s. 70.995 (12r) shall be resolved by using the
14 procedures under s. 70.995 (8).

History: 1997 a. 237.

15 SECTION 2291e. 79.095 (3) (b) of the statutes is created to read:

16 79.095 (3) (b) The full value of a computer that is reported under sub. (2) (a)
17 or a computer under s. 70.995 (12r) is determined as follows:

18 1. If the computer was purchased in the previous year, the full value of the
19 computer is 67% of the cost of the computer.

20 2. If the computer was purchased in the year before the previous year, the full
21 value of the computer is 33% of the cost of the computer.

22 3. If the computer was purchased in any year that is before the year under subd.
23 2., the full value of the computer is zero.”

24 4. Page 1406, line 5: after that line insert:

1
2
3
4
5

“(17^C) PROPERTY TAX EXEMPTION FOR COMPUTERS. The treatment of sections 70.35 (1) and (2) and 70.995 (12r) of the statutes, the renumbering and amendment of section 79.095 (3) of the statutes, and the creation of section 79.095 (3) (b) of the statutes first ~~apply~~ ^{apply} to the property tax assessments as of January 1, 2003.”

(END)



ARC:.....Emerson – AM114, Full value of computers exempt from property
taxation to be determined on 2-year depreciation schedule

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 706, line 6: after that line insert:

3 **“SECTION 2114n.** 70.35 (1) of the statutes is amended to read:

4 70.35 (1) To determine the amount and value of any personal property for

5 which any person, firm or corporation should be assessed, any assessor may examine

6 such person or the managing agent or officer of any firm or corporation under oath

7 as to all such items of personal property, the taxable value thereof as defined in s.

8 70.34 if the property is taxable and the fair full market value, as determined under

9 s. 79.095 (3) (b), if the property is exempt under s. 70.11 (39). In the alternative the

10 assessor may require such person, firm or corporation to submit a return of such

1 personal property and of the taxable value thereof. There shall be annexed to such
2 return the declaration of such person or of the managing agent or officer of such firm
3 or corporation that the statements therein contained are true.

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6 given by such person on a form prescribed by the assessor with the approval of the
7 department of revenue which shall provide suitable schedules for such information
8 bearing on value as the department deems necessary to enable the assessor to
9 determine the true cash value of the taxable personal property; and the full value
10 of the personal property that is exempt under s. 70.11 (39), as determined under s.
11 79.095 (3) (b); that is owned or in the possession of such person on January 1 as
12 provided in s. 70.10. The return may contain methods of deriving assessable values
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16 section.”.

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18 “**SECTION 2130b.** 70.995 (12r) of the statutes is amended to read:

19 70.995 (12r) The department of revenue shall calculate the value of property
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21 s. 70.11 (39), as provided under s. 79.095 (3) (b).”.

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23 “**SECTION 2291d.** 79.095 (3) of the statutes is renumbered 79.095 (3) (a) and
24 amended to read:

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2 (b) to a full-value rate. The department shall review and correct the information
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4 (b), of all of the computers reported under sub. (2) (a) and of all the computers under
5 s. 70.995 (12r) and, on or before October 1, shall notify each taxing jurisdiction of the
6 full value of the computers that are exempt under s. 70.11 (39) and that are located
7 in the jurisdiction. The department shall adjust the full value that is reported to
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21 2., the full value of the computer is zero.”

22 **4.** Page 1406, line 5: after that line insert:

23 “(17c) PROPERTY TAX EXEMPTION FOR COMPUTERS. The treatment of sections 70.35
24 (1) and (2) and 70.995 (12r) of the statutes, the renumbering and amendment of

1 section 79.095 (3) of the statutes, and the creation of section 79.095 (3) (b) of the
2 statutes first apply to the property tax assessments as of January 1, 2003.”

3 (END)