

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 07/19/2001

Received By: jkreye

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Olin

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:

LFB:.....Olin -

Topic:

Property tax exemption for cash registers and fax machines

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 07/19/2001	hhagen 07/19/2001	rschluet 07/19/2001	_____	lrb_docadmin 07/19/2001		
	jkreye 07/19/2001	hhagen 07/19/2001		_____			
/2			jfrantze 07/20/2001	_____	lrb_docadmin 07/20/2001		

FE Sent For:

<END>

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/1	jkreye 07/19/2001	hhagen 07/19/2001	rschluet 07/19/2001		lrb_docadmin 07/19/2001		

FE Sent For:

12 kmh
7/19/01

J 7/20

Self
7/20

<END>

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1?	jkreye	1. hmk 7/19/01					
				7-19-1			

FE Sent For:

<END>

7-18-01

Rich Olin

property tax exemption for fax machines
& cash register - 1-1-2003

excluding fax machines that are also
copiers

* extend current reporting provision for
computers to this property



[Handwritten signature]

LFB:.....Olin – Property tax exemption for cash registers and fax machines

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

m 7-19-01

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

2 **1.** Page 521, line 21: after that line insert:

3 “SECTION 1375d. 38.28 (2) (b) 2. of the statutes is amended to read:

4 38.28 (2) (b) 2. The most current equalized values certified by the department
5 of revenue shall be used in aid determinations. Equalized values shall include the
6 full value of ~~computers~~ property that are is exempt under s. 70.11 (39) and (39m) as
7 determined under s. 79.095 (3).”

History: 1971 c. 154, 211; 1973 c. 90; 1975 c. 39, 224; 1977 c. 29, 418; 1979 c. 34, 221; 1981 c. 20, 269; 1983 a. 27; 1985 a. 29; 1985 a. 332 s. 251 (3); 1987 a. 27, 399; 1989 a. 31, 102, 336; 1991 a. 39, 322; 1993 a. 16, 377, 399, 427; 1995 a. 27 ss. 1812, 9145 (1); 1995 a. 225; 1997 a. 27, 237; 1999 a. 9, 185.

8 **2.** Page 703, line 18: after that line insert:

9 “SECTION 2108s. 70.11 (39m) of the statutes is created to read:

1 70.11 (39m) If the owner of the property fulfills the requirements under s.
2 70.35, cash registers and fax machines, excluding fax machines that are also
3 copiers.”.

4 **3.** Page 706, line 6: after that line insert:

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

6 70.35 (1) To determine the amount and value of any personal property for
7 which any person, firm or corporation should be assessed, any assessor may examine
8 such person or the managing agent or officer of any firm or corporation under oath
9 as to all such items of personal property, the taxable value thereof as defined in s.
10 70.34 if the property is taxable and the fair market value if the property is exempt
11 under s. 70.11 (39) or (39m). In the alternative the assessor may require such person,
12 firm or corporation to submit a return of such personal property and of the taxable
13 value thereof. There shall be annexed to such return the declaration of such person
14 or of the managing agent or officer of such firm or corporation that the statements
15 therein contained are true.

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

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

17 70.35 (2) The return shall be made and all the information therein requested
18 given by such person on a form prescribed by the assessor with the approval of the
19 department of revenue which shall provide suitable schedules for such information
20 bearing on value as the department deems necessary to enable the assessor to
21 determine the true cash value of the taxable personal property, and of the personal
22 property that is exempt under s. 70.11 (39) and (39m), that is owned or in the
23 possession of such person on January 1 as provided in s. 70.10. The return may
24 contain methods of deriving assessable values from book values and for the

1 conversion of book values to present values, and a statement as to the accounting
2 method used. No person shall be required to take detailed physical inventory for the
3 purpose of making the return required by this section.

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

4 **SECTION 2114s.** 70.36 (1m) of the statutes is amended to read:

5 70.36 (1m) Any person, firm or corporation that fails to include information on
6 property that is exempt under s. 70.11 (39) and (39m) on the report under s. 70.35
7 shall forfeit \$10 for every \$100 or major fraction thereof that is not reported.”

8 History: 1973 c. 90; 1991 a. 156, 316; 1997 a. 237.

8 **4.** Page 713, line 6: after that line insert:

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

10 70.995 (12r) The department of revenue shall calculate the value of property
11 that is used in manufacturing, as defined in this section, and that is exempt under
12 s. 70.11 (39) and (39m).”

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

13 **5.** Page 837, line 7: after that line insert:

14 “**SECTION 2207m.** 73.06 (3) of the statutes is amended to read:

15 73.06 (3) The department of revenue, through its supervisors of equalization,
16 shall examine and test the work of assessors during the progress of their assessments
17 and ascertain whether any of them is assessing property at other than full value or
18 is omitting property subject to taxation from the roll. The department and such
19 supervisors shall have the rights and powers of a local assessor for the examination
20 of persons and property and for the discovery of property subject to taxation. If any
21 property has been omitted or not assessed according to law, they shall bring the same
22 to the attention of the local assessor of the proper district and if such local assessor
23 shall neglect or refuse to correct the assessment they shall report the fact to the board

1 of review. If it discovers errors in identifying or valuing property that is exempt
 2 under s. 70.11 (39) or (39m), the department shall change the specification of the
 3 property as taxable or exempt and shall change the value of the property. All
 4 disputes between the department, municipalities and property owners about the
 5 taxability or value of property that is reported under s. 79.095 (2) (a) or of the
 6 property under s. 70.995 (12r) shall be resolved by using the procedures under s.
 7 70.995 (8).”.

History: 1973 c. 90; 1977 c. 449; 1981 c. 20; 1983 a. 275 ss. 11, 15 (3) to ~~(6)~~; 1983 a. 538 s. 269 (3); 1987 a. 399; 1997 a. 237.

8 **6.** Page 838, line 25: after that line insert:

9 “SECTION 2231m. 76.025 (1) of the statutes is amended to read:

10 76.025 (1) The property taxable under s. 76.13 shall include all franchises, and
 11 all real and personal property of the company used or employed in the operation of
 12 its business, excluding property that is exempt from the property tax under s. 70.11
 13 (39) and (39m), such motor vehicles as are exempt under s. 70.112 (5) and treatment
 14 plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The
 15 taxable property shall include all title and interest of the company referred to in such
 16 property as owner, lessee or otherwise, and in case any portion of the property is
 17 jointly used by 2 or more companies, the unit assessment shall include and cover a
 18 proportionate share of that portion of the property jointly used so that the
 19 assessments of the property of all companies having any rights, title or interest of
 20 any kind or nature whatsoever in any such property jointly used shall, in the
 21 aggregate, include only one total full value of such property.”.

History: 1997 a. 35 ss. 267 to 269, 271, 272; 1999 a. 9.

22 **7.** Page 842, line 22: after “(39)” insert “and (39m)”.

23 **8.** Page 852, line 11: after that line insert:

24 “SECTION 2255m. 79.03 (3) (b) 3. of the statutes is amended to read:

1 79.03 (3) (b) 3. "Full valuation" means the full value of property that is exempt
 2 under s. 70.11 (39) and (39m) as determined under s. 79.095 (3) plus the full value
 3 of all taxable property for the preceding year as equalized for state tax purposes,
 4 except that for municipalities the value of real estate assessed under s. 70.995 is
 5 excluded. Value increments under s. 66.1105 plus the full value of property that is
 6 exempt under s. 70.11 (39) and (39m) that would otherwise be part of a value
 7 increment are included for municipalities but excluded for counties. Environmental
 8 remediation value increments under s. 66.1106 are included for municipalities and
 9 counties that create the environmental remediation tax incremental district and are
 10 excluded for units of government that do not create the district. If property that had
 11 been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's
 12 value is assessed under s. 70.10, 30% of that property's full value is included in "full
 13 valuation" for purposes of the shared revenue payments in the year after the
 14 assessment under s. 70.10, 65% of that property's full value is included in "full
 15 valuation" for purposes of the shared revenue payments in the year 2 years after the
 16 assessment under s. 70.10 and 100% of that property's full value is included in "full
 17 valuation" for purposes of subsequent shared revenue payments."

History: 1971 c. 125, 215; 1973 c. 90; 1975 c. 39; 1977 c. 29, 203, 418; 1979 c. 1; 1979 c. 34 ss. 903s to 905m, 2102 (46) (d); 1979 c. 221; 1981 c. 20, 93, 314, 317; 1983
 a. 27, 189; 1985 a. 29, 120; 1987 a. 27, 399; 1989 a. 31, 56, 336; 1991 a. 39, 269; 1993 a. 16, 437, 490; 1995 a. 27; 1997 a. 27, 164, 237; 1999 a. 9; 1999 a. 150 s. 672.

18 **9.** Page 854, line 3: after that line insert:

19 ~~SECTION 2291m.~~ 79.095 (2) (a) of the statutes is amended to read:

20 79.095 (2) (a) On or before May 1, the value of the ~~computers~~ property that are
 21 is exempt under s. 70.11 (39) and (39m) in each taxing jurisdiction for which the
 22 municipality assesses property.

History: 1997 a. 237.

23 **SECTION 2291n.** 79.095 (3) of the statutes is amended to read:

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

History: 1997 a. 237.

13 **SECTION 2291p.** 79.095 (4) of the statutes is amended to read:

14 79.095 (4) PAYMENT. The department shall calculate the payments due each
15 taxing jurisdiction under this section by multiplying the full value as of the January
16 1 of the preceding year of the ~~computers~~ property that ~~are~~ is exempt under s. 70.11
17 (39) and (39m) and that ~~are~~ is located in the jurisdiction by the full-value gross tax rate of the
18 jurisdiction for the preceding year. The department shall certify the amount of the
19 payment due each taxing jurisdiction to the department of administration, which
20 shall make the payments on or before the first Monday in May.”

History: 1997 a. 237.

21 **10.** Page 995, line 10: after that line insert:

22 **SECTION 3007m.** 121.06 (4) of the statutes is amended to read:

23 121.06 (4) For purposes of computing state aid under s. 121.08, equalized
24 valuations calculated under sub. (1) and certified under sub. (2) shall include the full

1 value of computers property that are is exempt under s. 70.11 (39) and (39m) as
2 determined under s. 79.095 (3).”

History: 1973 c. 61, 90; 1977 c. 29 ss. 1084, 1647 (13); 1977 c. 300 s. 8; 1981 c. 20; 1983 a. 27; 1985 a. 225; 1987 a. 403 s. 256; 1989 a. 336; 1993 a. 307; 1995 a. 27 ss. 4044, 9145 (1); 1997 a. 27, 113, 237.

3 **11.** Page 1406, line 5: after that line insert:

4 “(17~~m~~) PROPERTY TAX EXEMPTION FOR CASH REGISTERS AND FAX MACHINES. The
5 treatment of sections 38.28 (2) (b) 2., 70.11 (39m), 70.35 (1) and (2), 70.36 (1m), 70.995
6 (12r), 73.06 (3), 76.025 (1), 76.81 (related to exempt cash registers and fax machines),
7 79.03 (3) (b) 3., 79.095 (2) (a), (3), and (4), and 121.06 (4) of the statutes first applies
8 to the property tax assessments as of January 1, 2003.”

9

(END)

Kreye, Joseph

From: Olin, Rick
Sent: Thursday, July 19, 2001 3:47 PM
To: Kreye, Joseph
Cc: Ammerman, Fred
Subject: LRBb2150/1, Cash Registers and Fax Machines

Joe:

Please consider the following changes to LRBb2150/1:

1. Amend s. 20.835 (1) (e) to change the appropriation name. Delete "computers" and add "tax exempt property". Make this change effective July 1, 2003.
2. Page 6, line 4: delete "computers" and insert "property". Note that this change would be made twice on this line.

Thanks.

Rick



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2150/1

JK:hmh:rs

(stays)

RM not R

LFB:.....Olin - Property tax exemption for cash registers and fax machines

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

m 7-19-01

INSERT A

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

2 1. Page 521, line 21: after that line insert:

3 "SECTION 1375d. 38.28 (2) (b) 2. of the statutes is amended to read:

4 38.28 (2) (b) 2. The most current equalized values certified by the department
5 of revenue shall be used in aid determinations. Equalized values shall include the
6 full value of ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) as
7 determined under s. 79.095 (3)."

8 2. Page 703, line 18: after that line insert:

9 "SECTION 2108s. 70.11 (39m) of the statutes is created to read:

1 70.11 (39m) If the owner of the property fulfills the requirements under s.
2 70.35, cash registers and fax machines, excluding fax machines that are also
3 copiers.”.

4 **3.** Page 706, line 6: after that line insert:

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

6 70.35 (1) To determine the amount and value of any personal property for
7 which any person, firm or corporation should be assessed, any assessor may examine
8 such person or the managing agent or officer of any firm or corporation under oath
9 as to all such items of personal property, the taxable value thereof as defined in s.
10 70.34 if the property is taxable and the fair market value if the property is exempt
11 under s. 70.11 (39) or (39m). In the alternative the assessor may require such person,
12 firm or corporation to submit a return of such personal property and of the taxable
13 value thereof. There shall be annexed to such return the declaration of such person
14 or of the managing agent or officer of such firm or corporation that the statements
15 therein contained are true.

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

17 70.35 (2) The return shall be made and all the information therein requested
18 given by such person on a form prescribed by the assessor with the approval of the
19 department of revenue which shall provide suitable schedules for such information
20 bearing on value as the department deems necessary to enable the assessor to
21 determine the true cash value of the taxable personal property, and of the personal
22 property that is exempt under s. 70.11 (39) and (39m), that is owned or in the
23 possession of such person on January 1 as provided in s. 70.10. The return may
24 contain methods of deriving assessable values from book values and for the

1 conversion of book values to present values, and a statement as to the accounting
2 method used. No person shall be required to take detailed physical inventory for the
3 purpose of making the return required by this section.

4 **SECTION 2114s.** 70.36 (1m) of the statutes is amended to read:

5 70.36 (1m) Any person, firm or corporation that fails to include information on
6 property that is exempt under s. 70.11 (39) and (39m) on the report under s. 70.35
7 shall forfeit \$10 for every \$100 or major fraction thereof that is not reported.”.

8 **4.** Page 713, line 6: after that line insert:

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

10 70.995 (12r) The department of revenue shall calculate the value of property
11 that is used in manufacturing, as defined in this section, and that is exempt under
12 s. 70.11 (39) and (39m).”.

13 **5.** Page 837, line 7: after that line insert:

14 **“SECTION 2207m.** 73.06 (3) of the statutes is amended to read:

15 73.06 (3) The department of revenue, through its supervisors of equalization,
16 shall examine and test the work of assessors during the progress of their assessments
17 and ascertain whether any of them is assessing property at other than full value or
18 is omitting property subject to taxation from the roll. The department and such
19 supervisors shall have the rights and powers of a local assessor for the examination
20 of persons and property and for the discovery of property subject to taxation. If any
21 property has been omitted or not assessed according to law, they shall bring the same
22 to the attention of the local assessor of the proper district and if such local assessor
23 shall neglect or refuse to correct the assessment they shall report the fact to the board
24 of review. If it discovers errors in identifying or valuing property that is exempt

1 under s. 70.11 (39) or (39m), the department shall change the specification of the
2 property as taxable or exempt and shall change the value of the property. All
3 disputes between the department, municipalities and property owners about the
4 taxability or value of property that is reported under s. 79.095 (2) (a) or of the
5 property under s. 70.995 (12r) shall be resolved by using the procedures under s.
6 70.995 (8).”

7 **6.** Page 838, line 25: after that line insert:

8 “**SECTION 2231m.** 76.025 (1) of the statutes is amended to read:

9 76.025 (1) The property taxable under s. 76.13 shall include all franchises, and
10 all real and personal property of the company used or employed in the operation of
11 its business, excluding property that is exempt from the property tax under s. 70.11
12 (39) and (39m), such motor vehicles as are exempt under s. 70.112 (5) and treatment
13 plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The
14 taxable property shall include all title and interest of the company referred to in such
15 property as owner, lessee or otherwise, and in case any portion of the property is
16 jointly used by 2 or more companies, the unit assessment shall include and cover a
17 proportionate share of that portion of the property jointly used so that the
18 assessments of the property of all companies having any rights, title or interest of
19 any kind or nature whatsoever in any such property jointly used shall, in the
20 aggregate, include only one total full value of such property.”

21 **7.** Page 842, line 22: after “(39)” insert “and (39m)”.

22 **8.** Page 852, line 11: after that line insert:

23 “**SECTION 2255m.** 79.03 (3) (b) 3. of the statutes is amended to read:

1 79.03 (3) (b) 3. “Full valuation” means the full value of property that is exempt
2 under s. 70.11 (39) and (39m) as determined under s. 79.095 (3) plus the full value
3 of all taxable property for the preceding year as equalized for state tax purposes,
4 except that for municipalities the value of real estate assessed under s. 70.995 is
5 excluded. Value increments under s. 66.1105 plus the full value of property that is
6 exempt under s. 70.11 (39) and (39m) that would otherwise be part of a value
7 increment are included for municipalities but excluded for counties. Environmental
8 remediation value increments under s. 66.1106 are included for municipalities and
9 counties that create the environmental remediation tax incremental district and are
10 excluded for units of government that do not create the district. If property that had
11 been assessed under s. 70.995 and that has a value exceeding 10% of a municipality’s
12 value is assessed under s. 70.10, 30% of that property’s full value is included in “full
13 valuation” for purposes of the shared revenue payments in the year after the
14 assessment under s. 70.10, 65% of that property’s full value is included in “full
15 valuation” for purposes of the shared revenue payments in the year 2 years after the
16 assessment under s. 70.10 and 100% of that property’s full value is included in “full
17 valuation” for purposes of subsequent shared revenue payments.”.

18 **9.** Page 854, line 3: after that line insert:

19 “**SECTION 2291m.** 79.095 (2) (a) of the statutes is amended to read:

20 79.095 (2) (a) On or before May 1, the value of the ~~computers~~ property that are
21 is exempt under s. 70.11 (39) and (39m) in each taxing jurisdiction for which the
22 municipality assesses property.

23 **SECTION 2291n.** 79.095 (3) of the statutes is amended to read:

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

13 **SECTION 2291p.** 79.095 (4) of the statutes is amended to read:

14 79.095 (4) PAYMENT. The department shall calculate the payments due each
15 taxing jurisdiction under this section by multiplying the full value as of the January
16 1 of the preceding year of the ~~computers~~ property that ~~are~~ is exempt under s. 70.11
17 (39) and (39m) and that ~~are~~ is located in the jurisdiction by the full-value gross tax
18 rate of the jurisdiction for the preceding year. The department shall certify the
19 amount of the payment due each taxing jurisdiction to the department of
20 administration, which shall make the payments on or before the first Monday in
21 May.”.

22 **10.** Page 995, line 10: after that line insert:

23 **“SECTION 3007m.** 121.06 (4) of the statutes is amended to read:

1 121.06 (4) For purposes of computing state aid under s. 121.08, equalized
 2 valuations calculated under sub. (1) and certified under sub. (2) shall include the full
 3 value of ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) as
 4 determined under s. 79.095 (3)."

5 **11.** Page 1406, line 5: after that line insert:

6 "(17f) PROPERTY TAX EXEMPTION FOR CASH REGISTERS AND FAX MACHINES. The
 7 treatment of sections 38.28 (2) (b) 2., 70.11 (39m), 70.35 (1) and (2), 70.36 (1m), 70.995
 8 (12r), 73.06 (3), 76.025 (1), 76.81 (related to exempt cash registers and fax machines),
 9 79.03 (3) (b) 3., 79.095 (2) (a), (3), and (4), and 121.06 (4) of the statutes first applies
 10 to the property tax assessments as of January 1, 2003."

(END)

10

11

INSERT B

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2150/lins
JK:hmh:rs

Insert A

- 1 1. Page 406, line 9: after that line insert:
2 “SECTION 931m. 20.835 (1) (e) (title) of the statutes is amended to read:
3 20.835 (1) (e) (title) *State aid; computers tax exempt property.*”

History: 1971 c. 125 ss. 192 to 195, 521; 1971 c. 215; 1973 c. 90, 158, 333; 1975 c. 39; 1975 c. 372 s. 41; 1975 c. 424; 1977 c. 29, 31, 313, 418, 447; 1979 c. 34 ss. 637m to 643m, 2102 (46) (d); 1979 c. 221; 1979 c. 329 s. 25 (1); 1979 c. 350 s. 27 (1); 1981 c. 1, 20, 93, 317; 1983 a. 2 ss. 1, 12; 1983 a. 27 ss. 489m, 490m, 2202 (45); 1985 a. 29, 41, 205; 1987 a. 27 ss. 473 to 474r, 476; 1987 a. 92; 1987 a. 312 s. 17; 1987 a. 323, 328, 399, 411, 422; 1989 a. 31 ss. 551 to 557m, 564m; 1989 a. 56 s. 259; 1989 a. 336; 1991 a. 37; 1991 a. 39 ss. 250m, 653m to 659m; 1991 a. 225, 269; 1993 a. 16, 263; 1995 a. 27, 56, 209, 417; 1997 a. 27, 237; 1999 a. 5, 9, 10; 1999 a. 150 s. 672; 1999 a. 167.

Insert B

- 4 2. Page 1423, line 21: after that line insert:
5 “(3^f) STATE AID PAYMENTS FOR TAX EXEMPT PROPERTY. The treatment of section
6 20.835 (1) (e) (title) of the statutes takes effect on July 1, 2003.”



LFB:.....Olin – Property tax exemption for cash registers and fax machines

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 **1.** Page 406, line 9: after that line insert:

3 “**SECTION 931m.** 20.835 (1) (e) (title) of the statutes is amended to read:

4 20.835 (1) (e) (title) *State aid; ~~computers~~ tax exempt property.*”

5 **2.** Page 521, line 21: after that line insert:

6 “**SECTION 1375d.** 38.28 (2) (b) 2. of the statutes is amended to read:

7 38.28 (2) (b) 2. The most current equalized values certified by the department
8 of revenue shall be used in aid determinations. Equalized values shall include the
9 full value of ~~computers~~ property that are is exempt under s. 70.11 (39) and (39m) as
10 determined under s. 79.095 (3).”

1 **3.** Page 703, line 18: after that line insert:

2 “**SECTION 2108s.** 70.11 (39m) of the statutes is created to read:

3 70.11 (**39m**) If the owner of the property fulfills the requirements under s.
4 70.35, cash registers and fax machines, excluding fax machines that are also
5 copiers.”.

6 **4.** Page 706, line 6: after that line insert:

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

8 70.35 (1) To determine the amount and value of any personal property for
9 which any person, firm or corporation should be assessed, any assessor may examine
10 such person or the managing agent or officer of any firm or corporation under oath
11 as to all such items of personal property, the taxable value thereof as defined in s.
12 70.34 if the property is taxable and the fair market value if the property is exempt
13 under s. 70.11 (39) or (39m). In the alternative the assessor may require such person,
14 firm or corporation to submit a return of such personal property and of the taxable
15 value thereof. There shall be annexed to such return the declaration of such person
16 or of the managing agent or officer of such firm or corporation that the statements
17 therein contained are true.

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

19 70.35 (2) The return shall be made and all the information therein requested
20 given by such person on a form prescribed by the assessor with the approval of the
21 department of revenue which shall provide suitable schedules for such information
22 bearing on value as the department deems necessary to enable the assessor to
23 determine the true cash value of the taxable personal property, and of the personal
24 property that is exempt under s. 70.11 (39) and (39m), that is owned or in the

1 possession of such person on January 1 as provided in s. 70.10. The return may
2 contain methods of deriving assessable values from book values and for the
3 conversion of book values to present values, and a statement as to the accounting
4 method used. No person shall be required to take detailed physical inventory for the
5 purpose of making the return required by this section.

6 **SECTION 2114s.** 70.36 (1m) of the statutes is amended to read:

7 70.36 (1m) Any person, firm or corporation that fails to include information on
8 property that is exempt under s. 70.11 (39) and (39m) on the report under s. 70.35
9 shall forfeit \$10 for every \$100 or major fraction thereof that is not reported.”.

10 **5.** Page 713, line 6: after that line insert:

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

12 70.995 (12r) The department of revenue shall calculate the value of property
13 that is used in manufacturing, as defined in this section, and that is exempt under
14 s. 70.11 (39) and (39m).”.

15 **6.** Page 837, line 7: after that line insert:

16 “**SECTION 2207m.** 73.06 (3) of the statutes is amended to read:

17 73.06 (3) The department of revenue, through its supervisors of equalization,
18 shall examine and test the work of assessors during the progress of their assessments
19 and ascertain whether any of them is assessing property at other than full value or
20 is omitting property subject to taxation from the roll. The department and such
21 supervisors shall have the rights and powers of a local assessor for the examination
22 of persons and property and for the discovery of property subject to taxation. If any
23 property has been omitted or not assessed according to law, they shall bring the same
24 to the attention of the local assessor of the proper district and if such local assessor

1 shall neglect or refuse to correct the assessment they shall report the fact to the board
2 of review. If it discovers errors in identifying or valuing property that is exempt
3 under s. 70.11 (39) or (39m), the department shall change the specification of the
4 property as taxable or exempt and shall change the value of the property. All
5 disputes between the department, municipalities and property owners about the
6 taxability or value of property that is reported under s. 79.095 (2) (a) or of the
7 property under s. 70.995 (12r) shall be resolved by using the procedures under s.
8 70.995 (8).”.

9 **7.** Page 838, line 25: after that line insert:

10 **“SECTION 2231m.** 76.025 (1) of the statutes is amended to read:

11 76.025 (1) The property taxable under s. 76.13 shall include all franchises, and
12 all real and personal property of the company used or employed in the operation of
13 its business, excluding property that is exempt from the property tax under s. 70.11
14 (39) and (39m), such motor vehicles as are exempt under s. 70.112 (5) and treatment
15 plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The
16 taxable property shall include all title and interest of the company referred to in such
17 property as owner, lesscc or otherwise, and in case any portion of the property is
18 jointly used by 2 or more companies, the unit assessment shall include and cover a
19 proportionate share of that portion of the property jointly used so that the
20 assessments of the property of all companies having any rights, title or interest of
21 any kind or nature whatsoever in any such property jointly used shall, in the
22 aggregate, include only one total full value of such property.”.

23 **8.** Page 842, line 22: after “(39)” insert “and (39m)”.

24 **9.** Page 852, line 11: after that line insert:

1 **SECTION 2255m.** 79.03 (3) (b) 3. of the statutes is amended to read:

2 79.03 (3) (b) 3. "Full valuation" means the full value of property that is exempt
3 under s. 70.11 (39) and (39m) as determined under s. 79.095 (3) plus the full value
4 of all taxable property for the preceding year as equalized for state tax purposes,
5 except that for municipalities the value of real estate assessed under s. 70.995 is
6 excluded. Value increments under s. 66.1105 plus the full value of property that is
7 exempt under s. 70.11 (39) and (39m) that would otherwise be part of a value
8 increment are included for municipalities but excluded for counties. Environmental
9 remediation value increments under s. 66.1106 are included for municipalities and
10 counties that create the environmental remediation tax incremental district and are
11 excluded for units of government that do not create the district. If property that had
12 been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's
13 value is assessed under s. 70.10, 30% of that property's full value is included in "full
14 valuation" for purposes of the shared revenue payments in the year after the
15 assessment under s. 70.10, 65% of that property's full value is included in "full
16 valuation" for purposes of the shared revenue payments in the year 2 years after the
17 assessment under s. 70.10 and 100% of that property's full value is included in "full
18 valuation" for purposes of subsequent shared revenue payments."

19 **10.** Page 854, line 3: after that line insert:

20 **SECTION 2291m.** 79.095 (2) (a) of the statutes is amended to read:

21 79.095 (2) (a) On or before May 1, the value of the ~~computers~~ property that ~~are~~
22 is exempt under s. 70.11 (39) and (39m) in each taxing jurisdiction for which the
23 municipality assesses property.

24 **SECTION 2291n.** 79.095 (3) of the statutes is amended to read:

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

13 **SECTION 2291p.** 79.095 (4) of the statutes is amended to read:

14 79.095 (4) PAYMENT. The department shall calculate the payments due each
15 taxing jurisdiction under this section by multiplying the full value as of the January
16 1 of the preceding year of the ~~computers~~ property that ~~are~~ is exempt under s. 70.11
17 (39) and (39m) and that ~~are~~ is located in the jurisdiction by the full-value gross tax
18 rate of the jurisdiction for the preceding year. The department shall certify the
19 amount of the payment due each taxing jurisdiction to the department of
20 administration, which shall make the payments on or before the first Monday in
21 May.”.

22 **11.** Page 995, line 10: after that line insert:

23 **“SECTION 3007m.** 121.06 (4) of the statutes is amended to read:

1 121.06 (4) For purposes of computing state aid under s. 121.08, equalized
2 valuations calculated under sub. (1) and certified under sub. (2) shall include the full
3 value of ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) as
4 determined under s. 79.095 (3).”.

5 **12.** Page 1406, line 5: after that line insert:

6 “(17f) PROPERTY TAX EXEMPTION FOR CASH REGISTERS AND FAX MACHINES. The
7 treatment of sections 38.28 (2) (b) 2., 70.11 (39m), 70.35 (1) and (2), 70.36 (1m), 70.995
8 (12r), 73.06 (3), 76.025 (1), 76.81 (related to exempt cash registers and fax machines),
9 79.03 (3) (b) 3., 79.095 (2) (a), (3), and (4), and 121.06 (4) of the statutes first applies
10 to the property tax assessments as of January 1, 2003.”.

11 **13.** Page 1423, line 21: after that line insert:

12 “(3f) STATE AID PAYMENTS FOR TAX EXEMPT PROPERTY. The treatment of section
13 20.835 (1) (e) (title) of the statutes takes effect on July 1, 2003.”.

14

(END)