

1 payment in the aggregate exceeds \$500 for performing or as reimbursement of
2 expenses unless access to the event may be obtained without payment of a direct or
3 indirect admission fee; conducted by the organization if the organization is not
4 engaged in a trade or business and is not required to have a seller's permit. For
5 purposes of this subsection, an organization is engaged in a trade or business and is
6 required to have a seller's permit if its sales of tangible personal property, and items,
7 property, and goods under s. 77.52 (1) (b), (c), and (d), and services, not including sales
8 of tickets to events, and its events occur on more than 20 days during the year, unless
9 its receipts do not exceed \$25,000 during the year. The exemption under this
10 subsection does not apply to ~~gross receipts~~ the sales price from the sale of bingo
11 supplies to players or to the sale, rental or use of regular bingo cards, extra regular
12 cards and special bingo cards.

13 **SECTION 355.** 77.54 (8) of the statutes is amended to read:

14 77.54 (8) Charges for ~~interest, financing or insurance,~~ not including contracts
15 under s. 77.52 (2) (a) 13m., where such charges are separately set forth upon the
16 invoice given by the seller to the purchaser.

17 **SECTION 356.** 77.54 (9) of the statutes is amended to read:

18 77.54 (9) The ~~gross receipts~~ sales price from sales of tickets or admissions to
19 public and private elementary and secondary school activities, where the entire net
20 proceeds therefrom are expended for educational, religious or charitable purposes.

21 **SECTION 357.** 77.54 (9a) (intro.) of the statutes is amended to read:

22 77.54 (9a) (intro.) The ~~gross receipts~~ sales price from sales to, and the storage
23 by, use by or other consumption of tangible personal property, and items, property,
24 and goods under s. 77.52 (1) (b), (c), and (d), and taxable services by:

25 **SECTION 358.** 77.54 (10) of the statutes is amended to read:

1 77.54 (10) The ~~gross receipts~~ sales price from the sale of all admission fees,
2 admission stickers or camping fees under s. 27.01 (7) to (11) and all admission fees
3 to any museum operated by a nonprofit corporation under a lease agreement with
4 the state historical society.

5 **SECTION 359.** 77.54 (11) of the statutes is amended to read:

6 77.54 (11) The ~~gross receipts~~ sales price from the sales of and the storage, use
7 or other consumption in this state of motor vehicle fuel, general aviation fuel or
8 alternate fuel, subject to taxation under ch. 78, unless the motor vehicle fuel or
9 alternate fuel tax is refunded under s. 78.75 because the buyer does not use the fuel
10 in operating a motor vehicle upon the public highways.

11 **SECTION 360.** 77.54 (12) of the statutes is amended to read:

12 77.54 (12) The ~~gross receipts~~ sales price from the sales of and the storage, use
13 or other consumption in this state of rail freight or passenger cars, locomotives or
14 other rolling stock used in railroad operations, or accessories, attachments, parts,
15 lubricants or fuel therefor.

16 **SECTION 361.** 77.54 (13) of the statutes is amended to read:

17 77.54 (13) The ~~gross receipts~~ sales price from the sales of and the storage, use
18 or other consumption in this state of commercial vessels and barges of 50-ton burden
19 or over primarily engaged in interstate or foreign commerce or commercial fishing,
20 and the accessories, attachments, parts and fuel therefor.

21 **SECTION 362.** 77.54 (14) (intro.) of the statutes is amended to read:

22 77.54 (14) (intro.) The ~~gross receipts~~ sales price from the sales of and the
23 storage, use, or other consumption in this state of ~~medieines~~ drugs that are any of
24 the following:

25 **SECTION 363.** 77.54 (14) (a) of the statutes is amended to read:

1 77.54 (14) (a) Prescribed for the treatment of a human being by a person
2 authorized to prescribe the ~~medicines~~ drugs, and dispensed on prescription filled by
3 a registered pharmacist in accordance with law.

4 **SECTION 364.** 77.54 (14) (b) of the statutes is amended to read:

5 77.54 (14) (b) Furnished by a licensed physician, surgeon, podiatrist, or dentist
6 to a patient who is a human being for treatment of the patient.

7 **SECTION 365.** 77.54 (14) (f) (intro.) of the statutes is amended to read:

8 77.54 (14) (f) (intro.) Furnished without charge to any of the following if the
9 ~~medicine~~ drug may not be dispensed without a prescription:

10 **SECTION 366.** 77.54 (14g) of the statutes is repealed.

11 **SECTION 367.** 77.54 (14s) of the statutes is repealed.

12 **SECTION 368.** 77.54 (15) of the statutes is amended to read:

13 77.54 (15) The ~~gross receipts~~ sales price from the sale of and the storage, use
14 or other consumption of all newspapers, of periodicals sold by subscription and
15 regularly issued at average intervals not exceeding 3 months, or issued at average
16 intervals not exceeding 6 months by an educational association or corporation sales
17 to which are exempt under sub. (9a) (f), of controlled circulation publications sold to
18 commercial publishers for distribution without charge or mainly without charge or
19 regularly distributed by or on behalf of publishers without charge or mainly without
20 charge to the recipient and of shoppers guides which distribute no less than 48 issues
21 in a 12-month period. In this subsection, "shoppers guide" means a community
22 publication delivered, or attempted to be delivered, to most of the households in its
23 coverage area without a required subscription fee, which advertises a broad range
24 of products and services offered by several types of businesses and individuals. In
25 this subsection, "controlled circulation publication" means a publication that has at

1 least 24 pages, is issued at regular intervals not exceeding 3 months, that devotes
2 not more than 75% of its pages to advertising and that is not conducted as an
3 auxiliary to, and essentially for the advancement of, the main business or calling of
4 the person that owns and controls it.

5 **SECTION 369.** 77.54 (16) of the statutes is amended to read:

6 77.54 (16) The ~~gross receipts~~ sales price from the sale of and the storage, use
7 or other consumption of fire trucks and fire fighting equipment, including
8 accessories, attachments, parts and supplies therefor, sold to volunteer fire
9 departments.

10 **SECTION 370.** 77.54 (17) of the statutes is amended to read:

11 77.54 (17) The ~~gross receipts~~ sales price from the sales of and the storage, use
12 or other consumption of water, that is not food and food ingredient, when delivered
13 through mains.

14 **SECTION 371.** 77.54 (18) of the statutes is amended to read:

15 77.54 (18) When the sale, license, lease, or rental of a service or property,
16 including items, property, and goods under s. 77.52 (1) (b), (c), and (d), that was
17 previously exempt or not taxable under this subchapter becomes taxable, and the
18 service or property is furnished under a written contract by which the seller is
19 unconditionally obligated to provide the service or property for the amount fixed
20 under the contract, the seller is exempt from sales or use tax on the ~~gross receipts~~
21 sales price for services or property provided until the contract is terminated,
22 extended, renewed or modified. However, from the time the service or property
23 becomes taxable until the contract is terminated, extended, renewed or modified the
24 user is subject to use tax, measured by the sales purchase price, on the service or
25 property purchased under the contract.

1 **SECTION 372.** 77.54 (20) of the statutes is repealed.

2 **SECTION 373.** 77.54 (20m) of the statutes is repealed.

3 **SECTION 374.** 77.54 (20n) of the statutes is created to read:

4 77.54 (20n) (a) The sales price from the sale of and the storage, use, or other
5 consumption of food and food ingredients, except candy, soft drinks, dietary
6 supplements, and prepared food.

7 (b) The sales price from the sale of and the storage, use, or other consumption
8 of food and food ingredients, except soft drinks, sold by hospitals, sanatoriums,
9 nursing homes, retirement homes, community-based residential facilities, as
10 defined in s. 50.01 (1g), or day care centers registered under ch. 48, including
11 prepared food that is sold to the elderly or handicapped by persons providing mobile
12 meals on wheels. In this paragraph, "retirement home" means a nonprofit
13 residential facility where 3 or more unrelated adults or their spouses have their
14 principal residence and where support services, including meals from a common
15 kitchen, are available to residents.

16 (c) The sales price from the sale of and the storage, use, or other consumption
17 of food and food ingredients, furnished in accordance with any contract or agreement
18 or paid for to such institution through the use of an account of such institution, by
19 a public or private institution of higher education to any of the following:

20 1. An undergraduate student, a graduate student, or a student enrolled in a
21 professional school if the student is enrolled for credit at the public or private
22 institution of higher education and if the food and food ingredients are consumed by
23 the student.

24 2. A national football league team.

25 **SECTION 375.** 77.54 (20r) of the statutes is created to read:

1 77.54 (20r) The sales price from the sales of and the storage, use, or other
2 consumption of candy, soft drinks, dietary supplements, and prepared foods, and
3 disposable products that are transferred with such items, furnished for no
4 consideration by a restaurant to the restaurant's employee during the employee's
5 work hours.

6 **SECTION 376.** 77.54 (21) of the statutes is amended to read:

7 77.54 (21) The ~~gross receipts~~ sales price from the sales of and the storage, use
8 or other consumption of caskets and burial vaults for human remains.

9 **SECTION 377.** 77.54 (22) of the statutes is repealed.

10 **SECTION 378.** 77.54 (22b) of the statutes is created to read:

11 77.54 (22b) The sales price from the sale of and the storage, use, or other
12 consumption of durable medical equipment that is for use in a person's home,
13 mobility-enhancing equipment, and prosthetic devices, and accessories for such
14 equipment or devices, if the equipment or devices are used for a human being.

15 **SECTION 379.** 77.54 (23m) of the statutes is amended to read:

16 77.54 (23m) The ~~gross receipts~~ sales price from the sale, license, lease or rental
17 of or the storage, use or other consumption of motion picture film or tape, and motion
18 pictures or radio or television programs for listening, viewing, or broadcast, and
19 advertising materials related thereto, sold, licensed, leased or rented to a motion
20 picture theater or radio or television station.

21 **SECTION 380.** 77.54 (25) of the statutes, as affected by 2007 Wisconsin Act 20,
22 is amended to read:

23 77.54 (25) The ~~gross receipts~~ sales price from the sale of and the storage of
24 printed material which is designed to advertise and promote the sale of merchandise,
25 or to advertise the services of individual business firms, which printed material is

1 purchased and stored for the purpose of subsequently transporting it outside the
2 state by the purchaser for use thereafter solely outside the state. This subsection
3 does not apply to catalogs and the envelopes in which the catalogs are mailed.

4 **SECTION 381.** 77.54 (25m) of the statutes, as created by 2007 Wisconsin Act 20,
5 is amended to read:

6 77.54 (25m) The gross receipts sales price from the sale of and the storage, use,
7 or other consumption of catalogs, and the envelopes in which the catalogs are mailed,
8 that are designed to advertise and promote the sale of merchandise or to advertise
9 the services of individual business firms.

10 **SECTION 382.** 77.54 (26) of the statutes is amended to read:

11 77.54 (26) The gross receipts sales price from the sales of and the storage, use,
12 or other consumption of tangible personal property and items and property under s.
13 77.52 (1) (b) and (c) which becomes a component part of an industrial waste
14 treatment facility that is exempt under s. 70.11 (21) or that would be exempt under
15 s. 70.11 (21) if the property were taxable under ch. 70, or tangible personal property
16 and items and property under s. 77.52 (1) (b) and (c) which becomes a component part
17 of a waste treatment facility of this state or any agency thereof, or any political
18 subdivision of the state or agency thereof as provided in s. 40.02 (28). The exemption
19 includes replacement parts therefor, and also applies to chemicals and supplies used
20 or consumed in operating a waste treatment facility and to purchases of tangible
21 personal property and items and property under s. 77.52 (1) (b) and (c) made by
22 construction contractors who transfer such property to their customers in fulfillment
23 of a real property construction activity. This exemption does not apply to tangible
24 personal property and items and property under s. 77.52 (1) (b) and (c) installed in

1 fulfillment of a written construction contract entered into, or a formal written bid
2 made, prior to July 31, 1975.

3 **SECTION 383.** 77.54 (26m) of the statutes is amended to read:

4 77.54 (26m) The ~~gross receipts~~ sales price from the sale of and the storage, use
5 or other consumption of waste reduction or recycling machinery and equipment,
6 including parts therefor, exclusively and directly used for waste reduction or
7 recycling activities which reduce the amount of solid waste generated, reuse solid
8 waste, recycle solid waste, compost solid waste or recover energy from solid waste.
9 The exemption applies even though an economically useful end product results from
10 the use of the machinery and equipment. For the purposes of this subsection, "solid
11 waste" means garbage, refuse, sludge or other materials or articles, whether these
12 materials or articles are discarded or purchased, including solid, semisolid, liquid or
13 contained gaseous materials or articles resulting from industrial, commercial,
14 mining or agricultural operations or from domestic use or from public service
15 activities.

16 **SECTION 384.** 77.54 (27) of the statutes is amended to read:

17 77.54 (27) The ~~gross receipts~~ sales price from the sale of semen used for
18 artificial insemination of livestock.

19 **SECTION 385.** 77.54 (28) of the statutes is amended to read:

20 77.54 (28) The ~~gross receipts~~ sales price from the sale of and the storage, use
21 or other consumption to or by the ultimate consumer of ~~apparatus or equipment for~~
22 ~~the injection of insulin or the treatment of diabetes~~ and supplies used to determine
23 blood sugar level.

24 **SECTION 386.** 77.54 (29) of the statutes is amended to read:

1 77.54 (29) The ~~gross receipts~~ sales price from the sales of and the storage, use
2 or other consumption of equipment used in the production of maple syrup.

3 **SECTION 387.** 77.54 (30) (a) (intro.) of the statutes is amended to read:

4 77.54 (30) (a) (intro.) The ~~gross receipts~~ sales price from the sale of:

5 **SECTION 388.** 77.54 (30) (c) of the statutes is amended to read:

6 77.54 (30) (c) If fuel or electricity is sold partly for a use exempt under this
7 subsection and partly for a use which is not exempt under this subsection, no tax
8 shall be collected on that percentage of the ~~gross receipts~~ sales price equal to the
9 percentage of the fuel or electricity which is used for an exempt use, as specified in
10 an exemption certificate provided by the purchaser to the seller.

11 **SECTION 389.** 77.54 (31) of the statutes is amended to read:

12 77.54 (31) The ~~gross receipts~~ sales price from the sale of and the storage, use
13 or other consumption in this state, but not the lease or rental, of used mobile homes,
14 as defined in s. 101.91 (10), and used manufactured homes, as defined in s. 101.91
15 (12).

16 **SECTION 390.** 77.54 (32) of the statutes is amended to read:

17 77.54 (32) The ~~gross receipts~~ sales price from charges, including charges for a
18 search, imposed by an authority, as defined in s. 19.32 (1), for copies of a public record
19 that a person may examine and use under s. 16.61 (12) or for copies of a record under
20 s. 19.35 (1).

21 **SECTION 391.** 77.54 (33) of the statutes is amended to read:

22 77.54 (33) The ~~gross receipts~~ sales price from sales of and the storage, use or
23 other consumption of ~~medicines~~ drugs used on farm livestock, not including
24 workstock.

25 **SECTION 392.** 77.54 (35) of the statutes is amended to read:

1 77.54 (35) The ~~gross receipts~~ sales price from the sales of tangible personal
2 property, ~~or items, property, or goods under s. 77.52 (1) (b), (c), or (d),~~ tickets, or
3 admissions by any baseball team affiliated with the Wisconsin Department of
4 American Legion baseball.

5 **SECTION 393.** 77.54 (36) of the statutes is amended to read:

6 77.54 (36) The ~~gross receipts~~ sales price from the rental for a continuous period
7 of one month or more of a mobile home, as defined in s. 101.91 (10), or a manufactured
8 home, as defined in s. 101.91 (2), that is used as a residence. In this subsection, "one
9 month" means a calendar month or 30 days, whichever is less, counting the first day
10 of the rental and not counting the last day of the rental.

11 **SECTION 394.** 77.54 (37) of the statutes is amended to read:

12 77.54 (37) The ~~gross receipts~~ sales price from revenues collected under s.
13 256.35 (3) and the surcharge established by rule by the public service commission
14 under s. 256.35 (3m) (f) for customers of wireless providers, as defined in s. 256.35
15 (3m) (a) 6.

16 **SECTION 395.** 77.54 (38) of the statutes is amended to read:

17 77.54 (38) The ~~gross receipts~~ sales price from the sale of and the storage, use
18 or other consumption of snowmobile trail groomers and attachments for them that
19 are purchased, stored, used or consumed by a snowmobile club that meets at least
20 3 times a year, that has at least 10 members, that promotes snowmobiling and that
21 participates in the department of natural resources' snowmobile program under s.
22 350.12 (4) (b).

23 **SECTION 396.** 77.54 (39) of the statutes is amended to read:

24 77.54 (39) The ~~gross receipts~~ sales price from the sale of and the storage, use
25 or other consumption of off-highway, heavy mechanical equipment such as feller

1 bunchers, slashers, delimiters, chippers, hydraulic loaders, loaders,
2 skidder-forwarders, skidders, timber wagons and tractors used exclusively and
3 directly in the harvesting or processing of raw timber products in the field by a person
4 in the logging business. In this subsection, "heavy mechanical equipment" does not
5 include hand tools such as axes, chains, chain saws and wedges.

6 **SECTION 397.** 77.54 (40) of the statutes is repealed.

7 **SECTION 398.** 77.54 (41) of the statutes is amended to read:

8 77.54 (41) The ~~gross receipts~~ sales price from the sale of building materials,
9 supplies and equipment to; and the storage, use or other consumption of those kinds
10 of property by; owners, contractors, subcontractors or builders if that property is
11 acquired solely for or used solely in, the construction, renovation or development of
12 property that would be exempt under s. 70.11 (36).

13 **SECTION 399.** 77.54 (42) of the statutes is amended to read:

14 77.54 (42) The ~~gross receipts~~ sales price from the sale of and the storage, use
15 or other consumption of animal identification tags provided under s. 93.06 (1h) and
16 standard samples provided under s. 93.06 (1s).

17 **SECTION 400.** 77.54 (43) of the statutes is amended to read:

18 77.54 (43) The ~~gross receipts~~ sales price from the sale of and the storage, use
19 or other consumption of raw materials used for the processing, fabricating or
20 manufacturing of, or the attaching to or incorporating into, printed materials that
21 are transported and used solely outside this state.

22 **SECTION 401.** 77.54 (44) of the statutes is amended to read:

23 77.54 (44) The ~~gross receipts~~ sales price from the collection of low-income
24 assistance fees that are charged under s. 16.957 (4) (a) or (5) (a).

25 **SECTION 402.** 77.54 (45) of the statutes is amended to read:

1 77.54 (45) The ~~gross receipts~~ sales price from the sale of and the use or other
2 consumption of a onetime license or similar right to purchase admission to
3 professional football games at a football stadium, as defined in s. 229.821 (6), that
4 is granted by a municipality; a local professional football stadium district; or a
5 professional football team or related party, as defined in s. 229.821 (12); if the person
6 who buys the license or right is entitled, at the time the license or right is transferred
7 to the person, to purchase admission to at least 3 professional football games in this
8 state during one football season.

9 **SECTION 403.** 77.54 (46) of the statutes is amended to read:

10 77.54 (46) The ~~gross receipts~~ sales price from the sale of and the storage, use,
11 or other consumption of the U.S. flag or the state flag. This subsection does not apply
12 to a representation of the U.S. flag or the state flag.

13 **SECTION 404.** 77.54 (46m) of the statutes is amended to read:

14 77.54 (46m) The ~~gross receipts~~ sales price from the sale of and the storage, use,
15 or other consumption of telecommunications services, if the telecommunications
16 services are obtained by using the rights to purchase telecommunications services,
17 including purchasing reauthorization numbers, by paying in advance and by using
18 an access number and authorization code; and if the tax imposed under s. 77.52 or
19 77.53 was previously paid on the sale or purchase of such rights.

20 **SECTION 405.** 77.54 (47) (intro.) of the statutes is amended to read:

21 77.54 (47) (intro.) The ~~gross receipts~~ sales price from the sale of and the storage,
22 use, or other consumption of all of the following:

23 **SECTION 406.** 77.54 (47) (b) 1. of the statutes is amended to read:

24 77.54 (47) (b) 1. The shooting facility is required to pay the tax imposed under
25 s. 77.52 on its ~~gross receipts~~ the sales price from charges for shooting at the facility.

1 **SECTION 407.** 77.54 (47) (b) 2. of the statutes is amended to read:

2 77.54 (47) (b) 2. The shooting facility is a nonprofit organization that charges
3 for shooting at the facility, but is not required to pay the tax imposed under s. 77.52
4 on its ~~gross receipts~~ sales price from such charges because the charges are for
5 occasional sales, as provided under sub. (7m), or because the charges satisfy the
6 exemption under s. 77.52 (2) (a) 2. b.

7 **SECTION 408.** 77.54 (48) (a) of the statutes is renumbered 77.585 (9) (a) and
8 amended to read:

9 77.585 (9) (a) Subject to 2005 Wisconsin Act 479, section 17, ~~the gross receipts~~
10 ~~from the sale of and the storage, use, or other consumption~~ a purchaser may claim
11 as a deduction that portion of its purchase price of Internet equipment used in the
12 broadband market for which the tax was imposed under this subchapter, if the
13 purchaser certifies to the department of commerce, in the manner prescribed by the
14 department of commerce, that the purchaser will, within 24 months after July 1,
15 2007, make an investment that is reasonably calculated to increase broadband
16 Internet availability in this state. The purchaser shall claim the deduction in the
17 same reporting period as the purchaser paid the tax imposed under this subchapter.

18 **SECTION 409.** 77.54 (48) (b) of the statutes is renumbered 77.585 (9) (b).

19 **SECTION 410.** 77.54 (49) of the statutes is amended to read:

20 77.54 (49) The ~~gross receipts~~ sales price from the sale of and the storage, use,
21 or other consumption of taxable services and tangible personal property or items,
22 property, or goods under s. 77.52 (1) (b), (c), or (d), that is are physically transferred
23 to the purchaser as a necessary part of services that are subject to the taxes imposed
24 under s. 77.52 (2) (a) 7., 10., 11., and 20., if the seller and the purchaser of such
25 services and property, item, or good are members of the same affiliated group under

1 section 1504 of the Internal Revenue Code and are eligible to file a single
2 consolidated return for federal income tax purposes. For purposes of this subsection,
3 if a seller purchases a taxable service, or item, property, or goods under s. 77.52 (1)
4 (b), (c), or (d), or tangible personal property, as described in ~~the~~ this subsection, that
5 is subsequently sold to a member of the seller's affiliated group and the sale is exempt
6 under this subsection from the taxes imposed under this subchapter, the original
7 purchase of the taxable service, or item, property, or goods under s. 77.52 (1) (b), (c),
8 or (d), or tangible personal property by the seller is not considered a sale for resale
9 or exempt under this subsection.

10 **SECTION 411.** 77.54 (50) of the statutes is created to read:

11 77.54 (50) The sales price from the sale of and the storage, use, or other
12 consumption of specified digital goods or additional digital goods that are transferred
13 electronically to the purchaser, if the sale of and the storage, use, or other
14 consumption of such goods sold in a tangible form is exempt from taxation under this
15 subchapter.

16 **SECTION 412.** 77.54 (51) of the statutes is created to read:

17 77.54 (51) The sales price from the sales of and the storage, use, or other
18 consumption of products sold in a transaction that would be a bundled transaction,
19 except that it contains taxable and nontaxable products as described in s. 77.51 (1f)
20 (d), and except that the first person combining the products shall pay the tax imposed
21 under this subchapter on the person's purchase price of the taxable items.

22 **SECTION 413.** 77.54 (52) of the statutes is created to read:

23 77.54 (52) The sales price from the sales of and the storage, use, or other
24 consumption of products sold in a transaction that would be a bundled transaction,
25 except that the transaction meets the conditions described in s. 77.51 (1f) (e).

1 **SECTION 414.** 77.54 (54) of the statutes is amended to read:

2 77.54 (54) The ~~gross receipts~~ sales price from the sale of and the storage, use,
3 or other consumption of tangible personal property, and items, property, and goods
4 under s. 77.52 (1) (b), (c), and (d), and taxable services that are sold by a home
5 exchange service that receives moneys from the appropriation account under s.
6 20.485 (1) (g) and is operated by the department of veterans affairs.

7 **SECTION 415.** 77.54 (56) of the statutes, as created by 2007 Wisconsin Act 20,
8 is amended to read:

9 77.54 (56) (a) The ~~gross receipts~~ sales price from the sale of and the storage,
10 use, or other consumption of a product whose power source is wind energy, direct
11 radiant energy received from the sun, or gas generated from anaerobic digestion of
12 animal manure and other agricultural waste, if the product produces at least 200
13 watts of alternating current or 600 British thermal units per day, except that the
14 exemption under this subsection does not apply to an uninterruptible power source
15 that is designed primarily for computers.

16 (b) Except for the sale of electricity or energy that is exempt from taxation
17 under sub. (30), the ~~gross receipts~~ sales price from the sale of and the storage, use,
18 or other consumption of electricity or energy produced by a product described under
19 par. (a).

20 **SECTION 416.** 77.55 (1) (intro.) of the statutes is amended to read:

21 77.55 (1) (intro.) There ~~are~~ is exempted from the computation of the amount
22 of the sales tax the ~~gross receipts~~ sales price from the sale of any tangible personal
23 property, or items, property, or goods under s. 77.52 (1) (b), (c), and (d), or services to:

24 **SECTION 417.** 77.55 (2) of the statutes is amended to read:

1 77.55 (2) There are is exempted from the computation of the amount of the sales
2 tax the ~~gross receipts~~ sales price from sales of tangible personal property, and items,
3 property, and goods under s. 77.52 (1) (b), (c), and (d), to a common or contract carrier,
4 shipped by the seller via the purchasing carrier under a bill of lading whether the
5 freight is paid in advance, or the shipment is made freight charges collect, to a point
6 outside this state and the property, item, or good is actually transported to the
7 out-of-state destination for use by the carrier in the conduct of its business as a
8 carrier.

9 **SECTION 418.** 77.55 (2m) of the statutes is amended to read:

10 77.55 (2m) There are is exempted from the computation of the amount of sales
11 tax the ~~gross receipts~~ sales price from sales of railroad crossties to a common or
12 contract carrier, shipped wholly or in part by way of the purchasing carrier under a
13 bill of lading, whether the freight is paid in advance or the shipment is made freight
14 charges collect, to a point outside this state if the property is transported to the
15 out-of-state destination for use by the carrier in the conduct of its business as a
16 carrier. Interruption of the shipment for storage, drying, processing or creosoting of
17 the railroad crossties in this state does not invalidate the exemption under this
18 subsection.

19 **SECTION 419.** 77.55 (3) of the statutes is amended to read:

20 77.55 (3) There are is exempted from the computation of the amount of the sales
21 tax the ~~gross receipts~~ sales price from sales of tangible personal property, and items,
22 property, and goods under s. 77.52 (1) (b), (c), and (d), purchased for use solely outside
23 this state and delivered to a forwarding agent, export packer, or other person
24 engaged in the business of preparing goods for export or arranging for their

1 exportation, and actually delivered to a port outside the continental limits of the
2 United States prior to making any use thereof.

3 **SECTION 420.** 77.56 (1) of the statutes is amended to read:

4 77.56 (1) The storage, use or other consumption in this state of property,
5 including items, property, and goods under s. 77.52 (1) (b), (c), and (d), the gross
6 receipts sales price from the sale of which are is reported to the department in the
7 measure of the sales tax, is exempted from the use tax.

8 **SECTION 421.** 77.57 of the statutes is amended to read:

9 **77.57 Liability of purchaser.** If a purchaser certifies in writing to a seller
10 that the tangible personal property or items, property, or goods under s. 77.52 (1) (b),
11 (c), or (d) purchased will be used in a manner or for a purpose entitling the seller to
12 regard the gross receipts sales price from the sale as exempted by this subchapter
13 from the computation of the amount of the sales tax and uses the property or items,
14 property, or goods under s. 77.52 (1) (b), (c), or (d) in some other manner or for some
15 other purpose, the purchaser is liable for payment of the sales tax. The tax shall be
16 measured by the sales price of the property or items, property, or goods under s. 77.52
17 (1) (b), (c), or (d) to the purchaser, ~~but if the taxable use first occurs more than 6~~
18 ~~months after the sale to the purchaser, the purchaser may use as the measure of the~~
19 ~~tax either that sales price or the fair market value of the property at the time the~~
20 ~~taxable use first occurs.~~

21 **SECTION 422.** 77.58 (3) (a) of the statutes is amended to read:

22 77.58 (3) (a) For purposes of the sales tax a return shall be filed by every seller.
23 For purposes of the use tax a return shall be filed by every retailer engaged in
24 business in this state and by every person purchasing tangible personal property, or
25 items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services, the storage, use,

1 or other consumption of which is subject to the use tax, who has not paid the use tax
2 due to a retailer required to collect the tax. If a qualified subchapter S subsidiary
3 is not regarded as a separate entity under ch. 71, the owner of that subsidiary shall
4 include the information for that subsidiary on the owner's return. Returns shall be
5 signed by the person required to file the return or by a duly authorized agent but need
6 not be verified by oath. If a single-owner entity is disregarded as a separate entity
7 under ch. 71, the owner shall include the information from the entity on the owner's
8 return.

9 **SECTION 423.** 77.58 (3) (b) of the statutes is amended to read:

10 77.58 (3) (b) ~~For purposes of the sales tax the return shall show the gross~~
11 ~~receipts of the seller during the preceding reporting period. For purposes of the use~~
12 ~~tax, in case of a return filed by a retailer, the return shall show the total sales price~~
13 ~~of the property or taxable services sold, the storage, use or consumption of which~~
14 ~~became subject to the use tax during the preceding reporting period. In case of a sales~~
15 ~~or use tax return filed by a purchaser, the return shall show the total sales price of~~
16 ~~the property and taxable services purchased, the storage, use or consumption of~~
17 ~~which became subject to the use tax during the preceding reporting period. The~~
18 ~~return shall also show the amount of the taxes for the period covered by the return~~
19 ~~and such other information as the department deems necessary for the proper~~
20 ~~administration of this subchapter.~~

21 **SECTION 424.** 77.58 (6) of the statutes is amended to read:

22 77.58 (6) For the purposes of the sales tax gross receipts, the sales price from
23 rentals or leases of tangible personal property or items, property, or goods under s.
24 77.52 (1) (b), (c), or (d) shall be reported and the tax paid in accordance with such rules
25 as the department prescribes.

1 **SECTION 425.** 77.58 (6m) of the statutes is created to read:

2 77.58 **(6m)** (a) The department may, in cases where it is satisfied that an undue
3 hardship would otherwise result, permit the reporting of a sales price or purchase
4 price on some basis other than the accrual basis.

5 (b) The entire sales price of credit transactions shall be reported in the period
6 in which the sale is made without reduction in the amount of tax payable by the
7 retailer by reason of the retailer's transfer at a discount of any open account, note,
8 conditional sales contract, lease contract, or other evidence of indebtedness.

9 **SECTION 426.** 77.58 (9a) of the statutes is created to read:

10 77.58 **(9a)** In addition to filing a return as provided in this section, a person
11 described under s. 77.524 (3), (4), or (5) shall provide to the department any
12 information that the department considers necessary for the administration of this
13 subchapter, in the manner prescribed by the department, except that the
14 department may not require that the person provide such information to the
15 department more than once every 180 days.

16 **SECTION 427.** 77.585 of the statutes is created to read:

17 **77.585 Return adjustments.** (1) (a) In this subsection, "bad debt" means the
18 portion of the sales price or purchase price that the seller has reported as taxable
19 under this subchapter and that the seller may claim as a deduction under section 166
20 of the Internal Revenue Code. "Bad debt" does not include financing charges or
21 interest, sales or use taxes imposed on the sales price or purchase price, uncollectible
22 amounts on tangible personal property or items, property, or goods under s. 77.52 (1)
23 (b), (c), or (d) that remain in the seller's possession until the full sales price or
24 purchase price is paid, expenses incurred in attempting to collect any debt, debts sold
25 or assigned to 3rd parties for collection, and repossessed property or items.

1 (b) A seller may claim as a deduction on a return under s. 77.58 the amount of
2 any bad debt that the seller writes off as uncollectible in the seller's books and records
3 and that is eligible to be deducted as a bad debt for federal income tax purposes,
4 regardless of whether the seller is required to file a federal income tax return. A
5 seller who claims a deduction under this paragraph shall claim the deduction on the
6 return under s. 77.58 that is submitted for the period in which the seller writes off
7 the amount of the deduction as uncollectible in the seller's books and records and in
8 which such amount is eligible to be deducted as bad debt for federal income tax
9 purposes. If the seller subsequently collects in whole or in part any bad debt for
10 which a deduction is claimed under this paragraph, the seller shall include the
11 amount collected in the return filed for the period in which the amount is collected
12 and shall pay the tax with the return.

13 (c) For purposes of computing a bad debt deduction or reporting a payment
14 received on a previously claimed bad debt, any payment made on a debt or on an
15 account is applied first to the price of the tangible personal property, or items,
16 property, or goods under s. 77.52 (1) (b), (c), or (d), or service sold, and the
17 proportionate share of the sales tax on that property, or items, property, or goods
18 under s. 77.52 (1) (b), (c), or (d), or service, and then to interest, service charges, and
19 other charges related to the sale.

20 (d) A seller may obtain a refund of the tax collected on any bad debt amount
21 deducted under par. (b) that exceeds the amount of the seller's taxable sales as
22 provided under s. 77.59 (4), except that the period for making a claim as determined
23 under s. 77.59 (4) begins on the date on which the return on which the bad debt could
24 be claimed would have been required to be submitted to the department under s.
25 77.58.

1 (e) If a seller is using a certified service provider, the certified service provider
2 may claim a bad debt deduction under this subsection on the seller's behalf if the
3 seller has not claimed and will not claim the same deduction. A certified service
4 provider who receives a bad debt deduction under this subsection shall credit that
5 deduction to the seller and a certified service provider who receives a refund under
6 this subsection shall submit that refund to the seller.

7 (f) If a bad debt relates to the retail sales of tangible personal property, or items,
8 property, or goods under s. 77.52 (1) (b), (c), or (d), or taxable services that were
9 sourced to this state and to one or more other states, as determined under s. 77.522,
10 the total amount of such bad debt shall be apportioned among the states to which the
11 underlying sales were sourced in a manner prescribed by the department to arrive
12 at the amount of the deduction under par. (b).

13 (2) If a lessor of tangible personal property or items, property, or goods under
14 s. 77.52 (1) (b), (c), or (d) has reimbursed the vendor for the sales tax on the sale of
15 the property, items, or goods by the vendor to the lessor, the tax due from the lessor
16 on the rental receipts may be offset by a credit equal to the tax otherwise due on the
17 rental receipts from the property, items, or goods for the reporting period. The credit
18 shall expire when the cumulative rental receipts equal the sales price upon which
19 the vendor paid sales taxes to this state.

20 (3) If a purchaser of tangible personal property or items, property, or goods
21 under s. 77.52 (1) (b), (c), or (d) has reimbursed the vendor of the property, items, or
22 goods for the sales tax on the sale and subsequently, before making any use of the
23 property, items, or goods other than retention, demonstration, or display while
24 holding it for sale or rental, makes a taxable sale of the property, items, or goods the
25 tax due on the taxable sale may be offset by the tax reimbursed.

1 (4) A seller may claim a deduction on any part of the sales price or purchase
2 price that the seller refunds in cash or credit as a result of returned tangible personal
3 property or items, property, or goods under s. 77.52 (1) (b), (c), or (d) or adjustments
4 in the sales price or purchase price after the sale has been completed, if the seller has
5 included the refunded price in a prior return made by the seller and has paid the tax
6 on such price, and if the seller has returned to the purchaser in cash or in credit all
7 tax previously paid by the purchaser on the amount of the refund at the time of the
8 purchase. A deduction under this subsection shall be claimed on the return for the
9 period in which the refund is paid.

10 (5) No reduction in the amount of tax payable by the retailer is allowable in the
11 event that tangible personal property or items, property, or goods under s. 77.52 (1)
12 (b), (c), or (d) sold on credit are repossessed except where the entire consideration
13 paid by the purchaser is refunded to the purchaser or where a credit for a worthless
14 account is allowable under sub. (1).

15 (6) A purchaser who is subject to the use tax on the storage, use, or other
16 consumption of fuel may claim a deduction from the purchase price that is subject
17 to the use tax for fuel taxes refunded by this state or the United States to the
18 purchaser that is included in the purchase price of the fuel.

19 (7) For sales tax purposes, if a retailer establishes to the department's
20 satisfaction that the sales tax has been added to the total amount of the sales price
21 and has not been absorbed by the retailer, the total amount of the sales price shall
22 be the amount received exclusive of the sales tax imposed.

23 (8) A sale or purchase involving transfer of ownership of tangible personal
24 property or items, property, or goods under s. 77.52 (1) (b), (c), or (d) is completed at
25 the time when possession is transferred by the seller or the seller's agent to the

1 purchaser or the purchaser's agent, except that for purposes of sub. (1) a common
2 carrier or the U.S. postal service shall be considered the agent of the seller, regardless
3 of any f.o.b. point and regardless of the method by which freight or postage is paid.

4 **SECTION 428.** 77.59 (2m) of the statutes is created to read:

5 77.59 (2m) The department may audit, or may authorize others to audit, sellers
6 and certified service providers who are registered with the department pursuant to
7 the agreement, as defined in s. 77.65 (2) (a).

8 **SECTION 429.** 77.59 (5m) of the statutes is amended to read:

9 77.59 (5m) A seller who receives a refund under sub. (4) (a) or (b) of taxes that
10 the seller has collected from buyers, who collects amounts as taxes erroneously from
11 buyers, but who does not remit such amounts to the state, or who is entitled to a
12 refund under sub. (4) (a) or (b) that is offset under sub. (5), shall submit the taxes and
13 related interest to the buyers from whom the taxes were collected, or to the
14 department if the seller cannot locate the buyers, within 90 days after the date of the
15 refund, after the date of the offset, or after discovering that the seller has collected
16 taxes erroneously from the buyers. If the seller does not submit the taxes and related
17 interest to the department or the buyers within that period, the seller shall submit
18 to the department any part of a refund or taxes that the seller does not submit to a
19 buyer or to the department along with a penalty of 25% of the amount not submitted
20 or, in the case of fraud, a penalty equal to the amount not submitted. A person who
21 collects amounts as taxes erroneously from buyers for a real property construction
22 activity or nontaxable service may reduce the taxes and interest that he or she is
23 required to submit to the buyer or to the department under this subsection for that
24 activity or service by the amount of tax and interest subsequently due and paid on
25 the sale of or the storage, use, or other consumption of tangible personal property, or

1 items, property, or goods under s. 77.52 (1) (b), (c), or (d) that is are used by the person
2 in that activity or service and transferred to the buyer.

3 **SECTION 430.** 77.59 (9) of the statutes is amended to read:

4 77.59 (9) If any person fails to file a return, the department shall make an
5 estimate of the amount of the ~~gross receipts~~ sales price of the ~~person~~ person's sales,
6 or, as the case may be, of the amount of the total sales purchase price of tangible
7 personal property, ~~or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or~~
8 taxable service sold or purchased by the person, the sale by or the storage, use, or
9 other consumption of which in this state is subject to sales or use tax. The estimate
10 shall be made for the period in respect to which the person failed to make a return
11 and shall be based upon any information which is in the department's possession or
12 may come into its possession. Upon the basis of this estimate the department shall
13 compute and determine the amount required to be paid to the state, adding to the
14 sum thus arrived at a penalty equal to 25% thereof. One or more such determinations
15 may be made for one or for more than one period. When a business is discontinued
16 a determination may be made at any time thereafter, within the periods specified in
17 sub. (3), as to liability arising out of that business.

18 **SECTION 431.** 77.59 (9n) of the statutes is created to read:

19 77.59 (9n) (a) Notwithstanding s. 73.03 (47), and except as provided in par. (b),
20 no seller or certified service provider is liable for tax, interest, or penalties imposed
21 on a transaction under this subchapter if the seller or certified service provider
22 charged and collected the incorrect amount of the sales or use tax as a result of
23 relying on erroneous data provided in the databases under s. 73.03 (61) (e) and (f).

24 (b) Notwithstanding s. 73.03 (47), no seller or certified service provider is liable
25 for the tax, interest, or penalties imposed on a transaction under this subchapter if

1 the seller or certified service provider failed to collect the sales and use taxes due on
2 an item or transaction because the seller or certified service provider relied on the
3 certification under s. 73.03 (61) (b). This paragraph does not apply to a seller or
4 certified service provider who has incorrectly classified an item or transaction into
5 a specific product category, unless such classification was approved by the states that
6 are signatories to the agreement, as defined in s. 77.65 (2) (a). If the state determines
7 that it has incorrectly classified an item or transaction, sellers and certified service
8 providers that do not revise the classification of the item or transaction within 10
9 days after receiving notice from the department that an item or transaction was
10 incorrectly classified are liable for the tax, interest, or penalties imposed on the item
11 or transaction for the incorrect classification after the 10-day period.

12 (c) A purchaser is not liable for the tax, interest, or penalties imposed on a
13 transaction under this subchapter if the seller or certified service provider from
14 whom the purchaser made the purchase relied on erroneous data provided in the
15 databases under s. 73.03 (61) (e) and (f) or if the purchaser relied on erroneous data
16 provided in the databases under s. 73.03 (61) (e) and (f). With respect to reliance on
17 the database provided under s. 73.03 (61) (e), the relief provided under this
18 paragraph is limited to the erroneous classification in the database of terms defined
19 in this subchapter and specifically identified in the database as being “taxable,”
20 “exempt,” “included in sales price” or “excluded from sales price,” or “included in the
21 definition” or “excluded from the definition.”

22 **SECTION 432.** 77.59 (9p) (b) of the statutes is created to read:

23 77.59 (9p) (b) If a customer purchases a service that is not subject to 4 USC 116
24 to 126, as amended by P.L. 106-252, tangible personal property, or items, property,
25 or goods under s. 77.52 (1) (b), (c), or (d), and if the customer believes that the amount

1 of the tax assessed for the sale of the service, property, items, or goods under this
2 subchapter is erroneous, the customer may request that the seller correct the alleged
3 error by sending a written notice to the seller. The notice shall include a description
4 of the alleged error and any other information that the seller reasonably requires to
5 process the request. Within 60 days from the date that a seller receives a request
6 under this paragraph, the seller shall review its records to determine the validity of
7 the customer's claim. If the review indicates that there is no error as alleged, the
8 seller shall explain the findings of the review in writing to the customer. If the review
9 indicates that there is an error as alleged, the seller shall correct the error and shall
10 refund the amount of any tax collected erroneously, along with the related interest,
11 as a result of the error from the customer, consistent with s. 77.59 (4). A customer
12 may take no other action against the seller, or commence any action against the
13 seller, to correct an alleged error in the amount of the tax assessed under this
14 subchapter on a service that is not subject to 4 USC 116 to 126, as amended by P.L.
15 106-252, tangible personal property, or items, property, or goods under s. 77.52 (1)
16 (b), (c), or (d) unless the customer has exhausted his or her remedies under this
17 paragraph.

18 **SECTION 433.** 77.59 (9r) of the statutes is created to read:

19 77.59 (9r) With regard to a purchaser's request for a refund under this section,
20 a seller is presumed to have reasonable business practices if the seller uses a certified
21 service provider, a certified automated system, as defined in s. 77.524 (1) (am), or a
22 proprietary system certified by the department to collect the taxes imposed under
23 this subchapter and if the seller has remitted to the department all taxes collected
24 under this subchapter, less any deductions, credits, or allowances.

25 **SECTION 434.** 77.60 (13) of the statutes is created to read:

1 77.60 (13) A person who uses any of the following documents in a manner that
2 is prohibited by or inconsistent with this subchapter, or provides incorrect
3 information to a seller or certified service provider related to the use of such
4 documents or regarding an exemption to the taxes imposed under this subchapter,
5 shall pay a penalty of \$250 for each invoice or bill of sale related to the prohibited or
6 inconsistent use or incorrect information:

7 (a) An exemption certificate described under ss. 77.52 (13) and 77.53 (10).

8 (b) A direct pay permit under s. 77.52 (17m).

9 (c) An exemption certificate claiming direct mail.

10 **SECTION 435.** 77.61 (1) (b) of the statutes is amended to read:

11 77.61 (1) (b) In the case of ~~a motor vehicle~~ motor vehicles, boats, snowmobiles,
12 recreational vehicles, as defined in s. 340.01 (48r), trailers, semitrailers, all-terrain
13 vehicles, or aircraft purchased from a licensed ~~Wisconsin motor vehicle dealer~~
14 retailer, the registrant shall present proof that the tax has been paid to such dealer
15 retailer.

16 **SECTION 436.** 77.61 (1) (c) of the statutes is amended to read:

17 77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, recreational
18 vehicles, as defined in s. 340.01 (48r), trailers, semitrailers, all-terrain vehicles, or
19 aircraft registered or titled, or required to be registered or titled, in this state
20 purchased from persons who are not ~~Wisconsin boat, trailer, or semitrailer dealers,~~
21 ~~licensed Wisconsin aircraft, motor vehicle, or recreational vehicle, as defined in s.~~
22 ~~340.01 (48r), dealers or registered Wisconsin snowmobile or all-terrain vehicle~~
23 ~~dealers~~ retailers, the purchaser shall file a sales tax return and pay the tax prior to
24 registering or titling the motor vehicle, boat, snowmobile, recreational vehicle, as
25 defined in s. 340.01 (48r), semitrailer, all-terrain vehicle, or aircraft in this state.

1 **SECTION 437.** 77.61 (2) of the statutes is renumbered 77.61 (2) (intro.) and
2 amended to read:

3 77.61 (2) (intro.) In order to protect the revenue of the state:

4 (a) Except as provided in par. (b), the department may require any person who
5 is or will be liable to it for the tax imposed by this subchapter to place with it, before
6 or after a permit is issued, the security, not in excess of \$15,000, that the department
7 determines. In determining the amount of security to require under this subsection,
8 the department may consider the person's payment of other taxes administered by
9 the department and any other relevant facts. If any taxpayer fails or refuses to place
10 that security, the department may refuse or revoke the permit. If any taxpayer is
11 delinquent in the payment of the taxes imposed by this subchapter, the department
12 may, upon 10 days' notice, recover the taxes, interest, costs and penalties from the
13 security placed with the department by the taxpayer in the following order: costs,
14 penalties, delinquent interest, delinquent tax. No interest may be paid or allowed
15 by the state to any person for the deposit of security. Any security deposited under
16 this subsection shall be returned to the taxpayer if the taxpayer has, for 24
17 consecutive months, complied with all the requirements of this subchapter.

18 **SECTION 438.** 77.61 (2) (b) of the statutes is created to read:

19 77.61 (2) (b) A certified service provider who has contracted with a seller, and
20 filed an application, to collect and remit sales and use taxes imposed under this
21 subchapter on behalf of the seller shall submit a surety bond to the department to
22 guarantee the payment of sales and use taxes, including any penalty and interest on
23 such payment. The department shall approve the form and contents of a bond
24 submitted under this paragraph and shall determine the amount of such bond. The
25 surety bond shall be submitted to the department within 60 days after the date on

1 which the department notifies the certified service provider that the certified service
2 provider is registered to collect sales and use taxes imposed under this subchapter.
3 If the department determines, with regards to any one certified service provider, that
4 no bond is necessary to protect the tax revenues of this state, the secretary of revenue
5 or the secretary's designee may waive the requirements under this paragraph with
6 regard to that certified service provider. Any bond submitted under this paragraph
7 shall remain in force until the secretary of revenue or the secretary's designee
8 releases the liability under the bond.

9 **SECTION 439.** 77.61 (3) of the statutes is repealed.

10 **SECTION 440.** 77.61 (3m) of the statutes is created to read:

11 77.61 (3m) A retailer shall use a straight mathematical computation to
12 determine the amount of the tax that the retailer may collect from the retailer's
13 customers. The retailer shall calculate the tax amount by combining the applicable
14 tax rates under this subchapter and subch. V and multiplying the combined tax rate
15 by the sales price or purchase price of each item or invoice, as appropriate. The
16 retailer shall calculate the tax amount to the 3rd decimal place, disregard tax
17 amounts of less than 0.5 cent, and consider tax amounts of at least 0.5 cent but less
18 than 1 cent to be an additional cent. The use of a straight mathematical computation,
19 as provided in this subsection, shall not relieve the retailer from liability for payment
20 of the full amount of the tax levied under this subchapter.

21 **SECTION 441.** 77.61 (4) (a) of the statutes is amended to read:

22 77.61 (4) (a) Every seller and retailer and every person storing, using or
23 otherwise consuming in this state tangible personal property, or items, property, or
24 goods under s. 77.52 (1) (b), (c), or (d), or taxable services purchased from a retailer
25 shall keep such records, receipts, invoices, and other pertinent papers and records,

1 including machine-readable records, in such form as the department requires. The
2 department may, after giving notice, require any person to keep whatever records are
3 needed for the department to compute the sales or use taxes the person should pay.
4 Thereafter, the department shall add to any taxes assessed on the basis of
5 information not contained in the records required a penalty of 25% of the amount of
6 the tax so assessed in addition to all other penalties under this chapter.

7 **SECTION 442.** 77.61 (4) (c) of the statutes is amended to read:

8 77.61 (4) (c) For reporting the sales tax and collecting and reporting the use tax
9 imposed on the retailer under s. 77.53 (3) and the accounting connected with it,
10 retailers, not including certified service providers that receive compensation under
11 s. 73.03 (61) (h), may deduct 0.5% of those taxes payable or \$10 for that reporting
12 period required under s. 77.58 (1), whichever is greater, but not more than the
13 amount of the sales taxes or use taxes that is payable under ss. 77.52 (1) and 77.53
14 (3) for that reporting period required under s. 77.58 (1), as administration expenses
15 if the payment of the taxes is not delinquent. For purposes of calculating the
16 retailer's discount under this paragraph, the taxes on retail sales reported by
17 retailers under subch. V, including taxes collected and remitted as required under
18 s. 77.785, shall be included if the payment of those taxes is not delinquent.

19 **SECTION 443.** 77.61 (5m) of the statutes is created to read:

20 77.61 (5m) (a) In this subsection, "personally identifiable information" means
21 any information that identifies a person.

22 (b) A certified service provider may use personally identifiable information as
23 necessary only for the administration of its system to perform a seller's sales and use
24 tax functions and shall provide consumers clear and conspicuous notice of its practice
25 regarding such information, including what information it collects, how it collects

1 the information, how it uses the information, how long, if at all, it retains the
2 information, and under what circumstances it discloses the information to states
3 participating in the agreement, as defined in 77.65 (2) (a).

4 (c) A certified service provider may collect, use, and retain personally
5 identifiable information only to verify exemption claims, to document the correct
6 assignment of taxing jurisdictions, to investigate fraud, and to ensure its system's
7 reliability.

8 (d) A certified service provider shall provide sufficient technical, physical, and
9 administrative safeguards to protect personally identifiable information from
10 unauthorized access and disclosure.

11 (e) For purposes of this subchapter, the state shall provide to consumers public
12 notice of the state's practices related to collecting, using, and retaining personally
13 identifiable information.

14 (f) The state shall not retain personally identifiable information obtained for
15 purposes of administering this subchapter unless the state is otherwise required to
16 retain the information by law or as provided under the agreement, as defined in s.
17 77.65 (2) (a).

18 (g) For purposes of this subchapter, the state shall provide an individual
19 reasonable access to that individual's personally identifiable information and the
20 right to correct any inaccurately recorded information.

21 (h) If any person, other than another state that is a signatory to the agreement,
22 as defined in s. 77.65 (2) (a), or a person authorized under state law to access the
23 information, requests access to an individual's personally identifiable information,
24 the state shall make a reasonable and timely effort to notify the individual of the
25 request.

1 **SECTION 444.** 77.61 (11) of the statutes is amended to read:

2 77.61 (11) Any city, village or town clerk or other official whose duty it is to issue
3 licenses or permits to engage in a business involving the sale at retail of tangible
4 personal property or items, property, or goods under s. 77.52 (1) (b), (c), or (d) subject
5 to tax under this subchapter, or the furnishing of services so subject to tax, shall,
6 before issuing such license or permit, require proof that the person to whom such
7 license or permit is to be issued is the holder of a seller's permit as required by or is
8 registered to collect, report, and remit use tax under this subchapter or has been
9 informed by an employee of the department that the department will issue a seller's
10 permit to that person or register that person to collect, report, and remit use tax.

11 **SECTION 445.** 77.61 (16) of the statutes is created to read:

12 77.61 (16) Any person who remits taxes and files returns under this subchapter
13 may designate an agent, as defined in s. 77.524 (1) (ag), to remit such taxes and file
14 such returns with the department in a manner prescribed by the department.

15 **SECTION 446.** 77.61 (17) of the statutes is created to read:

16 77.61 (17) With regard to services subject to the tax under s. 77.52 (2) or the
17 lease, rental, or license of tangible personal property and property, items, and goods
18 specified under s. 77.52 (1) (b), (c), and (d), an increase in the tax rate applies to the
19 first billing period beginning on or after the rate increase's effective date and a
20 decrease in the tax rate applies to bills that are rendered on or after the rate
21 decrease's effective date.

22 **SECTION 447.** 77.61 (18) of the statutes is created to read:

23 77.61 (18) The department shall notify sellers with respect to any change in
24 the rate of the taxes imposed under this subchapter at least 30 days prior to the

1 change's effective date and any such change shall take effect on January 1, April 1,
2 July 1, or October 1.

3 **SECTION 448.** 77.63 of the statutes is repealed and recreated to read:

4 **77.63 Collection compensation.** The following persons may retain a portion
5 of sales and use taxes collected on retail sales under this subchapter and subch. V
6 in an amount determined by the department and by contracts that the department
7 enters into jointly with other states as a member state of the streamlined sales tax
8 governing board pursuant to the agreement, as defined in s. 77.65 (2) (a):

9 (1) A certified service provider.

10 (2) A seller that uses a certified automated system, as defined in s. 77.524 (1)
11 (am).

12 (3) A seller that sells tangible personal property, or items, property, or goods
13 under s. 77.52 (1) (b), (c), or (d), or taxable services in at least 5 states that are
14 signatories to the agreement, as defined in s. 77.65 (2) (a); that has total annual sales
15 revenue of at least \$500,000,000; that has a proprietary system that calculates the
16 amount of tax owed to each taxing jurisdiction in which the seller sells tangible
17 personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or
18 taxable services; and that has entered into a performance agreement with the states
19 that are signatories to the agreement, as defined in s. 77.65 (2) (a). For purposes of
20 this subsection, "seller" includes an affiliated group of sellers using the same
21 proprietary system to calculate the amount of tax owed in each taxing jurisdiction
22 in which the sellers sell tangible personal property, or items, property, or goods under
23 s. 77.52 (1) (b), (c), or (d), or taxable services.

24 **SECTION 449.** 77.65 (2) (a) of the statutes is amended to read:

1 77.65 (2) (a) "Agreement" means the streamlined sales and use tax agreement,
2 including amendments to the agreement.

3 **SECTION 450.** 77.65 (2) (c) of the statutes is repealed.

4 **SECTION 451.** 77.65 (2) (e) of the statutes is amended to read:

5 77.65 (2) (e) "Seller" means any person who sells, licenses, leases, or rents
6 tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or
7 (d), or services.

8 **SECTION 452.** 77.65 (2) (f) of the statutes is amended to read:

9 77.65 (2) (f) "State" means any state of the United States and, the District of
10 Columbia, and the Commonwealth of Puerto Rico.

11 **SECTION 453.** 77.65 (4) (fm) of the statutes is created to read:

12 77.65 (4) (fm) Provide that a seller who registers with the central electronic
13 registration system under par. (f) may cancel the registration at any time, as
14 provided under uniform procedures adopted by the governing board of the states that
15 are signatories to the agreement, but is required to remit any Wisconsin taxes
16 collected pursuant to the agreement to the department.

17 **SECTION 454.** 77.66 of the statutes is amended to read:

18 **77.66 Certification for collection of sales and use tax.** The secretary of
19 revenue shall determine and periodically certify to the secretary of administration
20 the names of persons, and affiliates, as defined in s. 16.70 (1b), of persons, who make
21 sales of tangible personal property, or items, property, or goods under s. 77.52 (1) (b),
22 (c), or (d), and taxable services that are subject to the taxes imposed under this
23 subchapter but who are not registered to collect and remit such taxes to the
24 department or, if registered, do not collect and remit such taxes.

25 **SECTION 455.** 77.67 of the statutes is created to read:

1 **77.67 Amnesty for new registrants. (1)** A seller is not liable for uncollected
2 and unpaid taxes, including penalties and interest, imposed under this subchapter
3 and subch. V on sales made to purchasers in this state before the seller registers
4 under par. (a), if all of the following apply:

5 (a) The seller registers with the department, in a manner that the department
6 prescribes, to collect and remit the taxes imposed under this subchapter and subch.
7 V on sales to purchasers in this state in accordance with the agreement, as defined
8 in s. 77.65 (2) (a).

9 (b) The seller registers under par. (a) no later than 365 days after the effective
10 date of this state's participation in the agreement under s. 77.65 (2) (a), as
11 determined by the department.

12 (c) The seller was not registered to collect and remit the taxes imposed under
13 this subchapter and subch. V during the 365 consecutive days immediately before
14 the effective date of this state's participation in the agreement under s. 77.65 (2) (a),
15 as determined by the department.

16 (d) The seller has not received a notice of the commencement of an audit from
17 the department or, if the seller has received a notice of the commencement of an audit
18 from the department, the audit has been fully resolved, including any related
19 administrative and judicial processes, at the time that the seller registers under par.
20 (a).

21 (e) The seller has not committed or been involved in a fraud or an intentional
22 misrepresentation of a material fact.

23 (f) The seller collects and remits the taxes imposed under this subchapter and
24 subch. V on sales to purchasers in this state for at least 3 consecutive years after the
25 date on which the seller's collection obligation begins.

1 (2) Subsection (1) does not apply to taxes imposed under this subchapter and
2 subch. V that are due from the seller for purchases made by the seller.

3 **SECTION 456.** 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,
6 stating its purpose and referring to this subchapter. The county sales and use taxes
7 may be imposed only for the purpose of directly reducing the property tax levy and
8 only in their entirety as provided in this subchapter. That ordinance shall be
9 effective on the first day of January, the first day of April, the first day of July or the
10 first day of October. A certified copy of that ordinance shall be delivered to the
11 secretary of revenue at least 120 days prior to its effective date. The repeal of any
12 such ordinance shall be effective on December 31. A certified copy of a repeal
13 ordinance shall be delivered to the secretary of revenue at least ~~60~~ 120 days before
14 the effective date of the repeal.

15 **SECTION 457.** 77.705 of the statutes is amended to read:

16 **77.705 Adoption by resolution; baseball park district.** A local
17 professional baseball park district created under subch. III of ch. 229, by resolution
18 under s. 229.68 (15), may impose a sales tax and a use tax under this subchapter at
19 a rate of no more than 0.1% of the ~~gross receipts or sales price or purchase price.~~
20 Those taxes may be imposed only in their entirety. The resolution shall be effective
21 on the first day of the first month January 1, April 1, July 1, or October 1 that begins
22 at least ~~30~~ 120 days after the adoption of the resolution. Any moneys transferred
23 from the appropriation account under s. 20.566 (1) (gd) to the appropriation account
24 under s. 20.835 (4) (gb) shall be used exclusively to retire the district's debt.

25 **SECTION 458.** 77.706 of the statutes is amended to read:

1 **77.706 Adoption by resolution; football stadium district.** A local
2 professional football stadium district created under subch. IV of ch. 229, by
3 resolution under s. 229.824 (15), may impose a sales tax and a use tax under this
4 subchapter at a rate of 0.5% of the ~~gross receipts or sales price~~ or purchase price.
5 Those taxes may be imposed only in their entirety. The imposition of the taxes under
6 this section shall be effective on the first day of the first month January 1, April 1,
7 July 1, or October 1 that begins at least ~~30~~ 120 days after the certification of the
8 approval of the resolution by the electors in the district's jurisdiction under s. 229.824
9 (15). Any moneys transferred from the appropriation account under s. 20.566 (1) (ge)
10 to the appropriation account under s. 20.835 (4) (ge) shall be used exclusively to retire
11 the district's debt.

12 **SECTION 459.** 77.707 (1) of the statutes is amended to read:

13 **77.707 (1)** Retailers and the department of revenue may not collect a tax under
14 s. 77.705 for any local professional baseball park district created under subch. III of
15 ch. 229 after the last day of the calendar quarter during that is at least 120 days from
16 the date on which the local professional baseball park district board makes a
17 certification to the department of revenue under s. 229.685 (2), except that the
18 department of revenue may collect from retailers taxes that accrued before the day
19 after the last day of that calendar quarter and fees, interest and penalties that relate
20 to those taxes.

21 **SECTION 460.** 77.707 (2) of the statutes is amended to read:

22 **77.707 (2)** Retailers and the department of revenue may not collect a tax under
23 s. 77.706 for any local professional football stadium district created under subch. IV
24 of ch. 229 after the last day of the calendar quarter during that is at least 120 days
25 from the date on which the local professional football stadium district board makes

1 all of the certifications to the department of revenue under s. 229.825 (3), except that
2 the department of revenue may collect from retailers taxes that accrued before the
3 day after the last day of that calendar quarter and fees, interest and penalties that
4 relate to those taxes.

5 **SECTION 461.** 77.71 (1) of the statutes is amended to read:

6 77.71 (1) For the privilege of selling, licensing, leasing or renting tangible
7 personal property and the items, property, and goods specified under s. 77.52 (1) (b),
8 (c), and (d), and for the privilege of selling, licensing, performing or furnishing
9 services a sales tax is imposed upon retailers at the rate of 0.5% in the case of a county
10 tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the
11 gross receipts sales price from the sale, license, lease or rental of tangible personal
12 property and the items, property, and goods specified under s. 77.52 (1) (b), (c), and
13 (d), except property taxed under sub. (4), sold, licensed, leased or rented at retail in
14 the county or special district or from selling, licensing, performing or furnishing
15 services described under s. 77.52 (2) in the county or special district.

16 **SECTION 462.** 77.71 (2) of the statutes is amended to read:

17 77.71 (2) An excise tax is imposed at the rate of 0.5% in the case of a county tax
18 or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales
19 purchase price upon every person storing, using or otherwise consuming in the
20 county or special district tangible personal property, or items, property, or goods
21 specified under s. 77.52 (1) (b), (c), or (d), or services if the tangible personal property,
22 item, property, good, or service is subject to the state use tax under s. 77.53, except
23 that a receipt indicating that the tax under sub. (1), (3) or (4) has been paid relieves
24 the buyer of liability for the tax under this subsection and except that if the buyer
25 has paid a similar local tax in another state on a purchase of the same tangible

1 ~~personal property, item, property, good,~~ or services that tax shall be credited against
2 the tax under this subsection and except that for motor vehicles that are used for a
3 purpose in addition to retention, demonstration or display while held for sale in the
4 regular course of business by a dealer the tax under this subsection is imposed not
5 on the sales purchase price but on the amount under s. 77.53 (1m).

6 **SECTION 463.** 77.71 (3) of the statutes is amended to read:

7 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
8 activities within the county or special district, at the rate of 0.5% in the case of a
9 county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax
10 of the sales purchase price of tangible personal property or items, property, or goods
11 under s. 77.52 (1) (b), (c), or (d) that is are used in constructing, altering, repairing
12 or improving real property and that ~~becomes~~ became a component part of real
13 property in that county or special district, except that if the contractor has paid the
14 sales tax of a county in the case of a county tax or of a special district in the case of
15 a special district tax in this state on that tangible personal property, item, property,
16 or good, or has paid a similar local sales tax in another state on a purchase of the same
17 tangible personal property, item, property, or good, that tax shall be credited against
18 the tax under this subsection.

19 **SECTION 464.** 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 percent in the case of a
21 county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax
22 of the sales purchase price upon every person storing, using or otherwise consuming
23 a motor vehicle, boat, ~~snowmobile,~~ recreational vehicle, as defined in s. 340.01 (48r),
24 ~~trailer, semitrailer, all-terrain vehicle~~ or aircraft, if that property must be registered
25 or titled with this state and if that property is to be customarily kept in a county that

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.

5 **SECTION 465.** 77.72 (title) of the statutes is repealed.

6 **SECTION 466.** 77.72 (1) of the statutes is renumbered 77.72 and amended to
7 read:

8 **77.72 General rule for property.** For the purposes of this subchapter, all
9 retail sales of tangible personal property are ~~completed at the time when, and the~~
10 ~~place where, the seller or the seller's agent transfers possession to the buyer or the~~
11 ~~buyer's agent. In this subsection, a common carrier or the U.S. postal service is the~~
12 ~~agent of the seller, regardless of any f.o.b. point and regardless of the method by~~
13 ~~which freight or postage is paid. Rentals and leases of property, except property~~
14 ~~under sub. (2), have a situs at the location of that property, and items, property, and~~
15 ~~goods specified under s. 77.52 (1) (b), (c), and (d), and taxable services are sourced as~~
16 provided in s. 77.522.

17 **SECTION 467.** 77.72 (2) and (3) of the statutes are repealed.

18 **SECTION 468.** 77.73 (2) of the statutes is amended to read:

19 **77.73 (2)** Counties and special districts do not have jurisdiction to impose the
20 tax under s. 77.71 (2) in regard to items, property, and goods under s. 77.52 (1) (b),
21 (c), and (d), and tangible personal property, except snowmobiles, trailers,
22 semitrailers, and all-terrain vehicles, purchased in a sale that is consummated in
23 another county or special district in this state that does not have in effect an
24 ordinance or resolution imposing the taxes under this subchapter and later brought

1 by the buyer into the county or special district that has imposed a tax under s. 77.71
2 (2).

3 **SECTION 469.** 77.73 (3) of the statutes is created to read:

4 77.73 (3) Counties and special districts have jurisdiction to impose the taxes
5 under this subchapter on retailers who file an application under s. 77.52 (7) or who
6 register under s. 77.53 (9) or (9m), regardless of whether such retailers are engaged
7 in business in the county or special district, as provided in s. 77.51 (13g). A retailer
8 who files an application under s. 77.52 (7) or who registers under s. 77.53 (9) or (9m)
9 shall collect, report, and remit to the department the taxes imposed under this
10 subchapter for all counties and special districts that have an ordinance or resolution
11 imposing the taxes under this subchapter.

12 **SECTION 470.** 77.75 of the statutes is amended to read:

13 **77.75 Reports.** Every person subject to county or special district sales and use
14 taxes shall, for each reporting period, record that person's sales made in the county
15 or special district that has imposed those taxes separately from sales made
16 elsewhere in this state and file a report of the measure of the county or special district
17 sales and use taxes and the tax due thereon separately as prescribed by the
18 department of revenue.

19 **SECTION 471.** 77.77 (1) of the statutes is renumbered 77.77 (1) (a) and amended
20 to read:

21 77.77 (1) (a) The gross receipts sales price from services subject to the tax under
22 s. 77.52 (2) are not or the lease, rental, or license of tangible personal property and
23 property, items, and goods specified under s. 77.52 (1) (b), (c), and (d), is subject to
24 the taxes under this subchapter, and the incremental amount of tax caused by a rate
25 increase applicable to those services, leases, rentals, or licenses is not due, if those

1 ~~services are billed to the customer and paid for before~~ beginning with the first billing
2 period starting on or after the effective date of the county ordinance, special district
3 resolution, or rate increase, regardless of whether the service is furnished or the
4 property, item, or good is leased, rented, or licensed to the customer before or after
5 that date.

6 **SECTION 472.** 77.77 (1) (b) of the statutes is created to read:

7 77.77 (1) (b) The sales price from services subject to the tax under s. 77.52 (2)
8 or the lease, rental, or license of tangible personal property and property, items, and
9 goods specified under s. 77.52 (1) (b), (c), and (d), is not subject to the taxes under this
10 subchapter, and a decrease in the tax rate imposed under this subchapter on those
11 services first applies, beginning with bills rendered on or after the effective date of
12 the repeal or sunset of a county ordinance or special district resolution imposing the
13 tax or other rate decrease, regardless of whether the service is furnished or the
14 property, item, or good is leased, rented, or licensed to the customer before or after
15 that date.

16 **SECTION 473.** 77.77 (2) of the statutes is repealed.

17 **SECTION 474.** 77.785 (1) of the statutes is amended to read:

18 77.785 (1) All retailers shall collect and report the taxes under this subchapter
19 on the ~~gross receipts~~ sales price from leases and rentals of property or items,
20 property, and goods under s. 77.52 (1) (b), (c), and (d) under s. 77.71 (4).

21 **SECTION 475.** 77.785 (2) of the statutes is amended to read:

22 77.785 (2) Prior to registration or titling, a retailer of a boat, ~~all-terrain vehicle,~~
23 ~~trailer and semi-trailer dealers and licensed~~ aircraft, motor vehicle, manufactured
24 home, as defined in s. 101.91 (2), or recreational vehicle, as defined in s. 340.01 (48r),
25 ~~and snowmobile dealers~~ shall collect the taxes under this subchapter on sales of

1 items under s. 77.71 (4). The ~~dealer~~ retailer shall remit those taxes to the
2 department of revenue along with payments of the taxes under subch. III.

3 **SECTION 476.** 77.92 (4) of the statutes is amended to read:

4 77.92 (4) "Net business income," with respect to a partnership, means taxable
5 income as calculated under section 703 of the Internal Revenue Code; plus the items
6 of income and gain under section 702 of the Internal Revenue Code, including taxable
7 state and municipal bond interest and excluding nontaxable interest income or
8 dividend income from federal government obligations; minus the items of loss and
9 deduction under section 702 of the Internal Revenue Code, except items that are not
10 deductible under s. 71.21; plus guaranteed payments to partners under section 707
11 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),
12 (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (2dy), (3g), (3h), ~~(3s)~~, (3n), (3p), (3r), (3s),
13 (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j), and (5k); and plus or minus, as appropriate,
14 transitional adjustments, depreciation differences, and basis differences under s.
15 71.05 (13), (15), (16), (17), and (19); but excluding income, gain, loss, and deductions
16 from farming. "Net business income," with respect to a natural person, estate, or
17 trust, means profit from a trade or business for federal income tax purposes and
18 includes net income derived as an employee as defined in section 3121 (d) (3) of the
19 Internal Revenue Code.

20 **SECTION 477.** 77.98 of the statutes is amended to read:

21 **77.98 Imposition.** A local exposition district under subch. II of ch. 229 may
22 impose a tax on the retail sale, except sales for resale, within the district's
23 jurisdiction under s. 229.43 of ~~products that are subject to a tax under s. 77.54 (20)~~
24 (e) 1. to 3. and not candy, as defined in s. 77.51 (1fm), prepared food, as defined in s.
25 77.51 (10m), and soft drinks, as defined in s. 77.51 (17w), unless exempt from the

1 sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), (9a) ~~or (20) (e) 5.~~, (20n) (b) and (c),
2 and (20r).

3 **SECTION 478.** 77.981 of the statutes is amended to read:

4 **77.981 Rate.** The tax under s. 77.98 is imposed on the sale of taxable products
5 at the rate of 0.25% of the ~~gross receipts~~ sales price, except that the district, by a vote
6 of a majority of the authorized members of its board of directors, may impose the tax
7 at the rate of 0.5% of the ~~gross receipts~~ sales price. A majority of the authorized
8 members of the district's board may vote that, if the balance in a special debt service
9 reserve fund of the district is less than the requirement under s. 229.50 (5), the tax
10 rate under this subchapter is 0.5%. The 0.5% rate shall be effective on the next
11 January 1, April 1, July 1 or October 1, and this tax is irrevocable if any bonds issued
12 by the district and secured by the special debt service reserve fund are outstanding.

13 **SECTION 479.** 77.982 (2) of the statutes is repealed and recreated to read:

14 **77.982 (2)** Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4),
15 (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2),
16 (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch.
17 III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes
18 under subch. V, applies to the tax under this subchapter.

19 **SECTION 480.** 77.99 of the statutes is amended to read:

20 **77.99 Imposition.** A local exposition district under subch. II of ch. 229 may
21 impose a tax at the rate of 3% of the ~~gross receipts~~ sales price on the rental, but not
22 for rental and not for rental as a service or repair replacement vehicle, within the
23 district's jurisdiction under s. 229.43, of Type 1 automobiles, as defined in s. 340.01
24 (4) (a), by establishments primarily engaged in short-term rental of passenger cars
25 without drivers, for a period of 30 days or less, unless the sale is exempt from the sales

1 tax under s. 77.54 (1), (4), (7) (a), (7m), (9) or (9a). If the state makes a payment under
2 s. 229.50 (7) to a district's special debt service reserve fund, a majority of the district's
3 authorized board of directors may vote to increase the tax rate under this subchapter
4 to 4%. A resolution to adopt the taxes imposed under this section, or an increase in
5 the tax rate, shall be effective on the first January 1, April 1, July 1, or October 1
6 following the adoption of the resolution or tax increase.

7 **SECTION 481.** 77.991 (2) of the statutes is repealed and recreated to read:

8 77.991 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (4),
9 (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2),
10 (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under subch.
11 III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes
12 under subch. V, applies to the tax under this subchapter. The renter shall collect the
13 tax under this subchapter from the person to whom the passenger car is rented.

14 **SECTION 482.** 77.994 (1) (intro.) of the statutes is amended to read:

15 77.994 (1) (intro.) Except as provided in sub. (2), a municipality or a county all
16 of which is included in a premier resort area under s. 66.1113 may, by ordinance,
17 impose a tax at a rate of 0.5% of the gross receipts sales price from the sale, license,
18 lease, or rental in the municipality or county of goods or services that are taxable
19 under subch. III made by businesses that are classified in the standard industrial
20 classification manual, 1987 edition, published by the U.S. office of management and
21 budget, under the following industry numbers:

22 **SECTION 483.** 77.9941 (4) of the statutes is amended to read:

23 77.9941 (4) Sections 77.72 (1), ~~(2) (a) and (3) (a)~~, 77.73, 77.74, 77.75, 77.76 (1),
24 (2), and (4), 77.77 (1) and ~~(2)~~, 77.785 (1), and 77.79, as they apply to the taxes under
25 subch. V, apply to the tax under this subchapter.

1 **SECTION 484.** 77.995 (2) of the statutes is amended to read:

2 77.995 (2) There is imposed a fee at the rate of 5 percent of the ~~gross receipts~~
3 sales price on the rental, but not for rereental and not for rental as a service or repair
4 replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of
5 recreational vehicles, as defined in s. 340.01 (48r); of motor homes, as defined in s.
6 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments
7 primarily engaged in short-term rental of vehicles without drivers, for a period of 30
8 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7)
9 (a), (7m) or (9a). There is also imposed a fee at the rate of 5 percent of the ~~gross~~
10 receipts sales price on the rental of limousines.

11 **SECTION 485.** 77.9951 (2) of the statutes is repealed and recreated to read:

12 77.9951 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3),
13 (4), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61
14 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under
15 subch. III, apply to the fee under this subchapter. The renter shall collect the fee
16 under this subchapter from the person to whom the vehicle is rented.

17 **SECTION 486.** 77.996 (6) of the statutes is amended to read:

18 77.996 (6) ~~“Gross receipts” has the meaning given in s. 77.51 (4) (a), (b) 1. and~~
19 ~~5., (c) 1. to 4., and (d) means the sales price, as defined in s. 77.51 (15b), of tangible~~
20 personal property and taxable services sold by a dry cleaning facility. “Gross
21 receipts” does not include the license fee imposed under s. 77.9961 (1m) that is passed
22 on to customers.

23 **SECTION 487.** 77.9972 (2) of the statutes is repealed and recreated to read:

24 77.9972 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3),
25 (4), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61

1 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under
2 subch. III, apply to the fee under this subchapter. Section 77.73, as it applies to the
3 taxes under subch. V, applies to the fee under this subchapter. The renter shall
4 collect the fee under this subchapter from the person to whom the passenger car is
5 rented.

6 **SECTION 488.** 84.03 (2) (a) 1. of the statutes is amended to read:

7 84.03 (2) (a) 1. "Amount of federal funds" means the sum of federal revenues
8 received under the federal Intermodal Surface Transportation Efficiency Act of 1991,
9 as amended, or under a substantially similar federal legislative act. "Amount of
10 federal funds" does not include the first \$300,000,000 of federal moneys received by
11 the state, pursuant to federal legislation enacted during the 111th Congress, for the
12 purpose of reviving the economy of the United States, which moneys are intended to
13 be used for transportation purposes.

14 **SECTION 489.** 86.195 (3) (b) 3. of the statutes is amended to read:

15 86.195 (3) (b) 3. Fifty percent of the ~~gross receipts~~ sales price, as defined in s.
16 77.51 (15b), of the business ~~are is~~ is from meal, food, the sale of food product and
17 beverage sales and food ingredients, as defined in s. 77.51 (3t), that are taxable under
18 s. 77.54 (20) (e) subch. III of ch. 77; and

19 **SECTION 490.** 100.55 (1) (d) 3. of the statutes is amended to read:

20 100.55 (1) (d) 3. A mortgage banker, ~~loan originator~~, or mortgage broker
21 registered licensed under s. 224.72 or a mortgage loan originator licensed under s.
22 224.725.

23 **SECTION 491.** 146.99 of the statutes is repealed.

24 **SECTION 492.** 149.10 (3m) (intro.) of the statutes is amended to read:

1 149.10 (3m) (intro.) "Health care coverage revenue" means any of the
2 following, but does not include payments to health maintenance organizations under
3 s. 49.45 (59) (a):

4 **SECTION 493.** 165.25 (4) (ar) of the statutes is amended to read:

5 165.25 (4) (ar) The department of justice shall furnish all legal services
6 required by the department of agriculture, trade and consumer protection relating
7 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,
8 100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42,
9 100.50, and 100.51, and 100.55, and 846.45 and chs. 126, 136, 344, 704, 707, and 779,
10 together with any other services as are necessarily connected to the legal services.

11 **SECTION 494.** 218.0171 (2) (cq) of the statutes is amended to read:

12 218.0171 (2) (cq) Upon payment of a refund to a consumer under par. (b) 2. b.,
13 the manufacturer shall provide to the consumer a written statement that specifies
14 the trade-in amount previously applied under s. 77.51 (4) (b) ~~3. or 3m. or (15) (b) 4.~~
15 ~~or 4m. (12m) (b) 5. or 6. or (15b) (b) 5. or 6.~~ toward the sales price of the motor vehicle
16 having the nonconformity and the date on which the manufacturer provided the
17 refund.

18 **SECTION 495.** 220.02 (2) (g) of the statutes is amended to read:

19 220.02 (2) (g) Mortgage bankers, mortgage loan originators, and mortgage
20 brokers under subch. III of ch. 224.

21 **SECTION 496.** 220.02 (3) of the statutes is amended to read:

22 220.02 (3) It is the intent of sub. (2) to give the division jurisdiction to enforce
23 and carry out all laws relating to banks or banking in this state, including those
24 relating to state banks, savings banks, savings and loan associations, and trust
25 company banks, and also all laws relating to small loan companies or other loan

1 companies or agencies, finance companies, insurance premium finance companies,
2 motor vehicle dealers, adjustment service companies, community currency
3 exchanges, mortgage bankers, mortgage loan originators, mortgage brokers, and
4 collection agencies and those relating to sellers of checks under ch. 217, whether
5 doing business as corporations, individuals, or otherwise, but to exclude laws
6 relating to credit unions.

7 **SECTION 497.** 220.06 (1) of the statutes is amended to read:

8 220.06 (1) In this section, "licensee" means a person licensed by the division
9 under ch. 138, 217 or 218 or under s. 224.72, 224.725, or 224.92 ~~or registered by the~~
10 ~~division under s. 224.72.~~

11 **SECTION 498.** 220.285 (1) of the statutes is amended to read:

12 220.285 (1) Any state bank, trust company bank, licensee under ss. 138.09,
13 138.12, 218.0101 to 218.0163, 218.02, 218.04 ~~or~~, 218.05, 224.72, or 224.725 or ch. 217,
14 ~~or person registered under s. 224.72~~ may cause any or all records kept by such bank,
15 licensee, or registered person to be recorded, copied or reproduced by any photostatic,
16 photographic or miniature photographic process or by optical imaging if the process
17 employed correctly, accurately and permanently copies, reproduces or forms a
18 medium for copying, reproducing or recording the original record on a film or other
19 durable material. A bank, licensee, or registered person may thereafter dispose of
20 the original record after first obtaining the written consent of the division. This
21 section, excepting that part of it which requires written consent of the division, is
22 applicable to national banking associations insofar as it does not contravene federal
23 law.

24 **SECTION 499.** 221.0402 (2) (b) of the statutes is amended to read:

1 221.0402 (2) (b) Mortgage bankers registered licensed under s. 224.72 may use
2 the designation “mortgage banker”.

3 **SECTION 500.** 224.71 (1ag) of the statutes is repealed.

4 **SECTION 501.** 224.71 (1b) of the statutes is repealed.

5 **SECTION 502.** 224.71 (1bm) of the statutes is created to read:

6 224.71 (1bm) “Another state” means any state of the United States other than
7 Wisconsin; the District of Columbia; any territory of the United States; Puerto Rico;
8 Guam; American Samoa; the Trust Territory of the Pacific Islands; the Virgin
9 Islands; or the Northern Mariana Islands.

10 **SECTION 503.** 224.71 (1c) of the statutes is created to read:

11 224.71 (1c) “Branch office” means an office or place of business, other than the
12 principal office, located in this state or another state, where a mortgage banker or
13 mortgage broker conducts business with residents of this state.

14 **SECTION 504.** 224.71 (1d) of the statutes is repealed.

15 **SECTION 505.** 224.71 (1dm) of the statutes is created to read:

16 224.71 (1dm) “Depository institution” has the meaning given in 12 USC 1813
17 (c) (1), but also includes any state or federal credit union.

18 **SECTION 506.** 224.71 (1f) of the statutes is created to read:

19 224.71 (1f) “Dwelling” has the meaning given in 15 USC 1602 (v).

20 **SECTION 507.** 224.71 (1g) of the statutes is renumbered 224.71 (14) and
21 amended to read:

22 224.71 (14) “Loan Residential mortgage loan” means ~~a~~ any loan primarily for
23 personal, family, or household purposes use that is secured by a lien or mortgage, or
24 equivalent security interest, on a dwelling or residential real property located in this
25 state. ~~For purposes of this subsection, a loan secured by real property consisting of~~