



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2019 Assembly Bill 46**

**Assembly  
Amendment 1**

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### **2019 ASSEMBLY BILL 46**

Under current law, when a retailer goes out of business or sells out its stock of goods, the retailer's successors must withhold from the purchase price an amount sufficient to cover the retailer's sales and use tax liability. If a successor fails to make such withholding, the successor becomes personally liable for the sales and use tax liability, up to the amount the successor paid for the retailer's business or stock of goods. Current law also precludes disclosure by the Department of Revenue (DOR) of such liabilities to potential successors.

2019 Assembly Bill 46 specifies that DOR must disclose information about a retailer's outstanding sales and use tax liability to any person who provides satisfactory evidence to the department that the person intends to purchase the retailer's stock of goods or become the successor or assignee of the retailer.

### **ASSEMBLY AMENDMENT 1**

Assembly Amendment 1 to Assembly Bill 46 clarifies that, for purposes of providing satisfactory evidence to DOR, the person must provide written documentation, signed by the retailer, that acknowledges the person as a purchaser or potential purchaser, successor, or assignee.

### **BILL HISTORY**

2019 Assembly Bill 46 was introduced by Representative Loudenbeck and others on February 28, 2019. Representative Loudenbeck offered Assembly Amendment 1 to the bill on April 4, 2019. On April 10, 2019, the Assembly Committee on Ways and Means recommended

adoption of Assembly Amendment 1 and passage of Assembly Bill 46, as amended, on consecutive votes of Ayes, 11; Noes, 0.

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