

NOTICE OF PROPOSED GUIDANCE DOCUMENT

Real Estate Transfer Return Exemptions

Pursuant to s. 227.112, Wis. Stats., the Wisconsin Department of Revenue is hereby seeking comment on the following proposed Real Estate Transfer Return Exemptions guidance.

Page	Subject
1	Certification
2	2019 Wisconsin Act 9 – Real Estate Transfer Return Exemptions

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to Wisconsin Department of Revenue until August 26, 2019 by:
Emailing bapdor@wisconsin.gov

AGENCY CONTACT PERSON

The final version of the guidance documents will be posted at
<https://www.revenue.wi.gov/Pages/RETr/Home.aspx> to allow for ongoing comment.

AGENCY CONTACT PERSON

Scott Shields
scott.shields@wisconsin.gov

Certification Statement

As the Secretary of the Wisconsin Department of Revenue (DOR), I have reviewed this guidance document or proposed guidance document and I certify that it complies with secs. 227.10 and 227.11, Wis. Stats. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

DEPARTMENT OF REVENUE

A handwritten signature in black ink, appearing to read "Peter W. Barca", is written over a light gray rectangular background.

Peter Barca

Secretary of Revenue

August XX, 2019

To: Register of Deeds
Real Property Listers
County Clerks and Treasurers
Municipal Clerks and Treasurers

The 2019-21 state budget ([2019 Wisconsin Act 9](#)) has amended two of the exemptions from real estate transfer fee to clarify the original intent of their application.

Exemption 7

Sec. [77.25 \(7\)](#), Wis. Stats., is amended to clarify the requirement that the parent of a subsidiary corporation must also be a corporation.

"By a subsidiary corporation to its parent corporation for no consideration, nominal consideration or in sole consideration of cancellation, surrender or transfer of capital stock between parent and subsidiary corporation."

Exemption 10

Sec. [77.25 \(10\)](#), Wis. Stats., is amended to clarify that the exemption does not apply to a conveyance to a new owner of record in order to qualify for financing.

"Solely in order to provide or release security for a debt or obligation, if the debt or obligation was not incurred as the result of a conveyance."

Both are effective for conveyances made on or after October 1, 2019. **Note:** This is date of conveyance and not the date recorded.

If you have questions, contact us at eRETR@wisconsin.gov

Thank you