

**WISCONSIN DEPARTMENT OF REVENUE
DIVISION OF INCOME, SALES, AND EXCISE TAX**

NOTICE OF PROPOSED GUIDANCE DOCUMENTS

Pursuant to sec. 227.112, Wis. Stats., the Wisconsin Department of Revenue, Division of Income, Sales, and Excise Taxes hereby seeks comment on the proposed guidance document listed in the table below.

SUBMITTING PUBLIC COMMENTS

Public comments on proposed or adopted guidance documents may be submitted online at: <https://www.revenue.wi.gov/Pages/contactUs/proposed-Guidance.aspx>.

DEADLINE FOR SUBMISSION

The period for public comment for proposed guidance documents ends 21 days after publication in the Administrative Register, unless the Governor approves a shorter commenting period.

Document Number	Document Title
100197	Retailer's Discount - Common Questions

State of Wisconsin
Department of Revenue

Retailer's Discount

This is a proposed guidance document. The document has been submitted to the Legislative Reference Bureau for publication in the Administrative Register for public comment as provided by sec. 227.112(1), Wis. Stats.

1. What is the retailer's discount?
2. When may I claim a retailer's discount?
3. How is the retailer's discount calculated?

1. What is the retailer's discount?

A retailer may deduct a portion of the sales tax reported on a sales and use tax return for the expense of reporting and collecting the sales and use tax.

2. When may I claim a retailer's discount?

The retailer's discount is only allowed on timely reported and paid sales tax.

Note: The discount is not allowed if any of the following apply:

- o The payment of sales tax is delinquent.
- o The sales and use tax due is the result of owing an additional amount after the due date of the return, or after the expiration of any extension period if one has been granted.
- o The tax reported is use tax.
- o A certified service provider is filing the sales and use tax return and is receiving other compensation as provided under Wisconsin law.

3. How is the retailer's discount calculated?

If the total sales tax on the retailer's sales tax return is:

- o \$0 to \$10; the discount is equal to total sales tax
- o \$10 to \$2,000; the discount is \$10
- o greater than \$2,000; the discount is the total sales tax amount times .005, but cannot exceed \$1,000 per reporting period

Applicable Laws and Rules

This document provides statements or interpretations of the following laws and regulations in effect as of February 19, 2020: Sections 73.03, 77.61 and 77.63, Wis. Stats., and sec. Tax 11.95, Wis. Adm. Code.

Laws enacted and in effect after February 19, 2020, new administrative rules, and court decisions may change the interpretations in this document. Guidance issued prior to February 19, 2020, that is contrary to the information in this document is superseded by this document, pursuant to sec. 73.16(2) (a), Wis. Stats.

FOR QUESTIONS OR COMMENTS CONTACT:

MS 5-77

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Guidance Document Certification: <https://www.revenue.wi.gov/Pages/Certification-Statement.aspx>

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