



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1434/P1
JK:cdc

DOA:.....Ziegler, BB0480 - Sweetened Dried Fruit Sales Tax Exemption
FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TAXATION

OTHER TAXATION

Sales and use tax on candy

Current law imposes the sales and use tax on the sale of candy. For purposes of the sales and use tax, “candy” is defined, generally, as a preparation of sugar, honey or other sweetener combined with chocolate, fruit, nuts or other ingredients or flavorings. “Candy” does not include a preparation that contains flour or that requires refrigeration. Under this bill, for purposes of the sales and use tax, “candy” also does not include a preparation that has as its predominant ingredient dried or partially dried fruit, not including a preparation that has a confectionary coating or glazing on the dried or partially dried fruit.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 77.51 (1fm) of the statutes is renumbered 77.51 (1fm) (intro.) and amended to read:

77.51 **(1fm)** (intro.) “Candy” means a preparation of sugar, honey, or other natural or artificial sweetener combined with chocolate, fruit, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces. “Candy” does not include ~~a preparation that contains flour or that requires refrigeration.~~ any of the following:

SECTION 2. 77.51 (1fm) (a) of the statutes is created to read:

77.51 **(1fm)** (a) A preparation that contains flour or that requires refrigeration.

SECTION 3. 77.51 (1fm) (b) of the statutes is created to read:

77.51 **(1fm)** (b) A preparation that has as its predominant ingredient dried or partially dried fruit along with one or more sweeteners, and which may also contain other additives including oils, natural flavorings, fiber, or preservatives. This paragraph does not apply to a preparation that includes chocolate, nuts, yogurt, or a preparation that has a confectionary coating or glazing on the dried or partially dried fruit. For purposes of this paragraph, “dried or partially dried fruit” does not include fruit that has been ground, crushed, grated, flaked, pureed, or jellied.

SECTION 9437. Effective dates; Revenue.

(1) SALES TAX ON CANDY. The treatment of s. 77.51 (1fm) (intro.), (a), and (b) takes effect on the first day of the 3rd month beginning after publication.

(END)