



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1639/P1
JK:klm

DOA:.....Quinn, BB0449 - Real estate transfer fee exemption for related transfers

FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

TAXATION

OTHER TAXATION

Real estate transfer fee

Current law, generally, requires a person who conveys an interest in real property to file a real estate transfer return with the county register of deeds and pay a real estate transfer fee equal to 30 cents for each \$100 of the value of the conveyance. Current law provides certain exemptions from paying the fee, including exemptions for conveyances between an entity and the members of the entity who are related to each other as spouses, lineal ascendants, lineal descendants, or siblings.

This bill modifies current law so that the exemptions for conveyances between entities and related members also apply to conveyances to members who are related as an uncle and his nieces or nephews, an aunt and her nieces or nephews, or first cousins.

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. 77.25 (15) of the statutes is amended to read:

77.25 (15) Between a corporation and its shareholders if all of the stock is owned by persons who are related to each other as spouses, as lineal ascendants, lineal descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews, first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings, if the transfer is for no consideration except the assumption of debt or stock of the corporation and if the corporation owned the property for at least 3 years.

SECTION 2. 77.25 (15m) of the statutes is amended to read:

77.25 (15m) Between a partnership and one or more of its partners if all of the partners are related to each other as spouses, as lineal ascendants, lineal descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews, first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings and if the transfer is for no consideration other than the assumption of debt or an interest in the partnership.

SECTION 3. 77.25 (15s) of the statutes is amended to read:

77.25 (15s) Between a limited liability company and one or more of its members if all of the members are related to each other as spouses, as lineal ascendants, lineal descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews, first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings and if the transfer is for no consideration other than the assumption of debt or an interest in the limited liability company.

SECTION 9337. Initial applicability; Revenue.

(1) REAL ESTATE TRANSFER FEE. The treatment of s. 77.25 (15), (15m), and (15s) first applies to a real estate transfer return filed on the effective date of this subsection.

(END)