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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2023 Assembly Bill 658**

**Assembly Amendment 1**

### 2023 ASSEMBLY BILL 658

2023 Assembly Bill 658 (AB 658) makes various changes to the statutes administered by the Department of Revenue (DOR). This includes provisions creating a sales tax exemption for road-building equipment; increasing the income tax withholding threshold for nonresidents; modifying certification requirements for a qualified opportunity fund; modifying prohibitions on certain lottery games; and extending the capital gains exclusion to family members who inherit certain farms organized as an entity.

### ASSEMBLY AMENDMENT 1

In addition to the changes described above, Assembly Amendment 1 (AA 1) modifies provisions created in 2023 Wisconsin Act 19 relating to a sales tax exemption for commercial loans. AA 1 clarifies that such commercial loans must be related to a business or agricultural purpose located in this state, and the exemption may first apply to tax years beginning in 2023.

AA 1 also modifies provisions created in 2023 Wisconsin Act 73 relating to an electronic vaping device registry maintained by DOR and prohibiting the sale of electronic vaping devices that are not included on the registry. The amendment authorizes DOR to create the registry and begin enforcement no later than September 1, 2025, instead of March 1, 2025, as provided under Act 73.

Additionally, AA 1 creates a nonstatutory provision increasing the full-time equivalent positions for DOR by 4.0 positions for cigarette, tobacco, and vapor enforcement, as of April 1, 2024, to be funded from the permanent endowment fund created from the state's tobacco settlement agreement. The transfer from the permanent endowment fund to the Medical Assistance trust fund is reduced by the amount appropriated for cigarette, tobacco, and vapor enforcement in each fiscal year.

### BILL HISTORY

2023 Assembly Bill 658 was introduced by Representative Katsma on November 9, 2023. On February 7, 2024, Representative Katsma introduced Assembly Amendment 1 to Assembly Bill 658. On February 8, 2024, the Joint Committee on Finance recommended adoption of Assembly Amendment 1 and passage of Assembly Bill 658, as amended, on successive votes of Ayes, 15; Noes, 0.

For a full history of the bill, visit the Legislature's [bill history page](#).

SG:jal