



2005 ASSEMBLY BILL 642

August 30, 2005 – Introduced by Representatives MUSSER and TOWNSEND. Referred to Committee on Ways and Means.

1 **AN ACT** *to renumber* 77.70; *to amend* 77.71 (1), 77.71 (2), 77.71 (3) and 77.71
2 (4); and *to create* 77.70 (2) of the statutes; **relating to:** the tax rate for county
3 sales and use taxes.

Analysis by the Legislative Reference Bureau

Under current law, a county may adopt an ordinance to impose a county sales and use tax on tangible personal property and taxable services sold or used in the county at the rate of 0.5 percent of the gross receipts on such sale or use. Under this bill, a county may adopt an ordinance, by an affirmative vote of two-thirds of the county supervisors, to impose the taxes at a rate exceeding 0.5 percent, but not exceeding 1.0 percent, of the gross receipts.

For further information see the **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:

4 **SECTION 1.** 77.70 of the statutes is renumbered 77.70 (1).

5 **SECTION 2.** 77.70 (2) of the statutes is created to read:

6 **77.70 (2)** A county board may adopt an ordinance to impose the county sales
7 and use taxes under this subchapter at a rate exceeding 0.5 percent, but not

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1 exceeding 1.0 percent, of the gross receipts as described under s. 77.71 only by an
2 affirmative vote of two-thirds of the supervisors entitled to seats on the county
3 board.

4 **SECTION 3.** 77.71 (1) of the statutes is amended to read:

5 77.71 (1) For the privilege of selling, leasing or renting tangible personal
6 property and for the privilege of selling, performing or furnishing services a sales tax
7 is imposed upon retailers at the rate of ~~0.5%~~ no less than 0.5 percent and no more
8 than 1.0 percent in the case of a county tax or at the rate under s. 77.705 or 77.706
9 in the case of a special district tax of the gross receipts from the sale, lease or rental
10 of tangible personal property, except property taxed under sub. (4), sold, leased or
11 rented at retail in the county or special district or from selling, performing or
12 furnishing services described under s. 77.52 (2) in the county or special district.

13 **SECTION 4.** 77.71 (2) of the statutes is amended to read:

14 77.71 (2) An excise tax is imposed at the rate of ~~0.5%~~ no less than 0.5 percent
15 and no more than 1.0 percent in the case of a county tax or at the rate under s. 77.705
16 or 77.706 in the case of a special district tax of the sales price upon every person
17 storing, using or otherwise consuming in the county or special district tangible
18 personal property or services if the property or service is subject to the state use tax
19 under s. 77.53, except that a receipt indicating that the tax under sub. (1), (3) or (4)
20 has been paid relieves the buyer of liability for the tax under this subsection and
21 except that if the buyer has paid a similar local tax in another state on a purchase
22 of the same property or services that tax shall be credited against the tax under this
23 subsection and except that for motor vehicles that are used for a purpose in addition
24 to retention, demonstration or display while held for sale in the regular course of

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1 business by a dealer the tax under this subsection is imposed not on the sales price
2 but on the amount under s. 77.53 (1m).

3 **SECTION 5.** 77.71 (3) of the statutes is amended to read:

4 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
5 activities within the county or special district, at the rate of ~~0.5%~~ no less than 0.5
6 percent and no more than 1.0 percent in the case of a county tax or at the rate under
7 s. 77.705 or 77.706 in the case of a special district tax of the sales price of tangible
8 personal property that is used in constructing, altering, repairing or improving real
9 property and that becomes a component part of real property in that county or special
10 district, except that if the contractor has paid the sales tax of a county in the case of
11 a county tax or of a special district in the case of a special district tax in this state on
12 that property, or has paid a similar local sales tax in another state on a purchase of
13 the same property, that tax shall be credited against the tax under this subsection.

14 **SECTION 6.** 77.71 (4) of the statutes is amended to read:

15 77.71 (4) An excise tax is imposed at the rate of ~~0.5%~~ no less than 0.5 percent
16 and no more than 1.0 percent in the case of a county tax or at the rate under s. 77.705
17 or 77.706 in the case of a special district tax of the sales price upon every person
18 storing, using or otherwise consuming a motor vehicle, boat, snowmobile, mobile
19 home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or
20 aircraft, if that property must be registered or titled with this state and if that
21 property is to be customarily kept in a county that has in effect an ordinance under
22 s. 77.70 or in a special district that has in effect a resolution under s. 77.705 or 77.706,
23 except that if the buyer has paid a similar local sales tax in another state on a

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1 purchase of the same property that tax shall be credited against the tax under this
2 subsection.

3 (END)