

State of Misconsin 2001 - 2002 LEGISLATURE

## 2001 ASSEMBLY BILL 121

February 13, 2001 – Introduced by Representatives SERATTI, FRISKE, PETROWSKI, JENSEN, ALBERS, LIPPERT, KRAWCZYK, LOEFFELHOLZ, OTT, SUDER, LASSA, STARZYK, D. MEYER, RHOADES, FREESE, AINSWORTH, J. FITZGERALD, WASSERMAN, MUSSER, PETTIS, GROTHMAN, GRONEMUS, MCCORMICK, SKINDRUD, WADE, KEDZIE, POWERS, HUNDERTMARK, KESTELL, STONE, GUNDERSON, WARD, OLSEN, PLALE, SYKORA, KREIBICH, OWENS, HUEBSCH, TOWNSEND, F. LASEE, GUNDRUM, JOHNSRUD, NASS and UNDERHEIM, cosponsored by Senators M. MEYER, SHIBILSKI, BRESKE, GEORGE, A. LASEE, WELCH, HARSDORF, ROESSLER, ZIEN and SCHULTZ. Referred to Committee on Agriculture. Referred to Joint survey committee on Tax Exemptions.

- 1 AN ACT to repeal 77.54 (3m), 77.54 (30) (a) 3. and 5. and 77.54 (34); and to amend
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77.54 (3) (a) of the statutes; **relating to:** a sales tax and use tax exemption on

tangible personal property used in the business of farming.

### Analysis by the Legislative Reference Bureau

Under current law, tractors and other machines that are used exclusively and directly for farming, including horticulture and floriculture, are exempt from the sales tax and the use tax.

Under this bill, tractors and other machines, lubricants, nonpowered equipment, and other tangible personal property that is used exclusively and directly for farming or husbandry activities, including aquaculture, horticulture, and floriculture, are exempt from the sales tax and the use tax.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this 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.** 77.54 (3) (a) of the statutes is amended to read:

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77.54 (3) (a) The gross receipts from the sales of and the storage, use, or other 1  $\mathbf{2}$ consumption of tractors and machines, including accessories, attachments, and 3 parts therefor, lubricants, nonpowered equipment, and other tangible personal property used exclusively and directly in the business of farming or husbandry 4 activities, including dairy farming, agriculture, aquaculture, horticulture,  $\mathbf{5}$ 6 floriculture, and custom farming services, but excluding automobiles, trucks, and 7 other motor vehicles for highway use; excluding personal property that is attached to, fastened to, connected to or built into real property or that becomes an addition 8 9 to, component of or capital improvement of real property and excluding tangible 10 personal property used or consumed in the erection of buildings or in the alteration, 11 repair or improvement of real property, regardless of any contribution that that 12personal property makes to the production process in that building or real property and regardless of the extent to which that personal property functions as a machine, 1314except as provided in par. (c). 15**SECTION 2.** 77.54 (3m) of the statutes is repealed. 16 **SECTION 3.** 77.54 (30) (a) 3. and 5. of the statutes are repealed.

17 **SECTION 4.** 77.54 (34) of the statutes is repealed.

### 18 SECTION 5. Effective date.

- 19 (1) This act takes effect on the first day of the 2nd month beginning after20 publication.
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(END)