



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3938/1
JK:ahe

2019 ASSEMBLY BILL 500

October 1, 2019 - Introduced by Representatives VRUWINK, TUSLER, OHNSTAD, SKOWRONSKI, HORLACHER and BOWEN, cosponsored by Senators SMITH, SCHACHTNER and JACQUE. Referred to Committee on Housing and Real Estate.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 77.25 (15), 77.25 (15m) and 77.25 (15s) of the statutes;
2 **relating to:** the real estate transfer fee exemptions for conveyances to related
3 individuals.

Analysis by the Legislative Reference Bureau

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:

ASSEMBLY BILL 500**SECTION 1**

1 **SECTION 1.** 77.25 (15) of the statutes is amended to read:

2 77.25 **(15)** Between a corporation and its shareholders if all of the stock is
3 owned by persons who are related to each other as spouses, as lineal ascendants,
4 lineal descendants, an uncle and his nieces or nephews, an aunt and her nieces or
5 nephews, first cousins, or siblings, whether by blood or by adoption, or as spouses of
6 siblings, if the transfer is for no consideration except the assumption of debt or stock
7 of the corporation and if the corporation owned the property for at least 3 years.

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

9 77.25 **(15m)** Between a partnership and one or more of its partners if all of the
10 partners are related to each other as spouses, as lineal ascendants, lineal
11 descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,
12 first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings
13 and if the transfer is for no consideration other than the assumption of debt or an
14 interest in the partnership.

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

16 77.25 **(15s)** Between a limited liability company and one or more of its members
17 if all of the members are related to each other as spouses, as lineal ascendants, lineal
18 descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,
19 first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings
20 and if the transfer is for no consideration other than the assumption of debt or an
21 interest in the limited liability company.

22 **SECTION 4. Initial applicability.**

23 (1) This act first applies to a real estate transfer return filed on the effective
24 date of this subsection.

25

(END)