



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5118/1
JK:kjf&emw

2021 ASSEMBLY BILL 710

November 12, 2021 - Introduced by Representatives DUCHOW, NEYLON, KITCHENS, CABRAL-GUEVARA and SUBECK, cosponsored by Senators COWLES and DARLING. Referred to Committee on Ways and Means.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT to create** 77.54 (56) (c) of the statutes; **relating to:** modifying the sales
2 and use tax exemption for renewable energy property.

Analysis by the Legislative Reference Bureau

This bill expands the types of property that qualify for the sales and use tax exemption provided under current law for products whose power source is wind, solar radiation, or gas generated from the digestion of animal manure and other agricultural waste. Currently, a rule promulgated by the Department of Revenue defines “product” to exclude tangible personal property that consumes or is used to store electricity or heat produced by a product that qualifies for the exemption, a foundation for the product, and property necessary to convey, transfer, or alter electricity or heat generated by the product.

Under the bill, the sales and use tax exemption applies to tangible personal property that is used to store electricity or heat and has at least one kilowatt of energy storage capacity, other than batteries for use in electric vehicles, and the hardware required for installation of such property. The bill also repeals the section of the DOR rule that defines “product” to exclude tangible personal property that is used to store electricity or heat produced by a product that qualifies for the exemption.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

ASSEMBLY BILL 710

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:

1 **SECTION 1.** 77.54 (56) (c) of the statutes is created to read:

2 77.54 **(56)** (c) The sales price from the sale of and the storage, use, or other
3 consumption of tangible personal property that is used to store electricity or heat and
4 that has at least one kilowatt of energy storage capacity and the hardware required
5 for installation of such property, except that this paragraph does not apply to
6 batteries for use in electric vehicles.

7 **SECTION 2.** Tax 11.10 (4) (d) of the administrative code is repealed.

8 **SECTION 3. Effective date.**

9 (1) This act takes effect on the first day of the 3rd month beginning after
10 publication.

11

(END)