

Sales/Use/Indirect:

Wisconsin DOR Proposes Rule Changes to Reflect Marketplace Facilitator Provisions

Proposed Amended Rules Sections Tax 11.55 and 11.88 (6), Wis. Dept. of Rev. (7/20). The Wisconsin Department of Revenue (Department) is proposing rule revisions that would provide guidance for sales agents, brokers, consignors and others facilitating sales of products subject to Wisconsin sales or use tax on behalf of sellers consistent with provisions in 2019 Wisconsin Act 10 [see A.B. 251/Act 10 (2019), and previously issued Multistate Tax Alert for more details on this new marketplace provider law], which requires some defined “marketplace providers” to collect and remit Wisconsin sales or use tax on the entire amount charged to a purchaser for all sales of taxable products and services in Wisconsin that the marketplace provider facilitates on behalf of a defined “marketplace seller” beginning October 1, 2019. Under the rule proposal, Wis. Admin. Code sections Tax 11.55 and 11.88 (6) would be “repealed and recreated” to explain sales and use tax collection and remittance requirements for marketplace providers and sales agent, brokers and consignors that also facilitate sales on behalf of sellers. Comments on the proposal must be submitted by December 20, 2021. Please contact us with any questions.

URL: <https://www.revenue.wi.gov/AdministrativeRulesSupportingDocs/SS042-20ProposedRule.pdf>

URL: <https://docs.legis.wisconsin.gov/2019/proposals/reg/asm/bill/ab251>

URL: <https://www2.deloitte.com/us/en/pages/tax/articles/new-wisconsin-law-requires-marketplace-providers-meeting-economic-nexus-thresholds-to-collect-tax-beginning.html?id=us:2em:3na:stm:awa:tax:121021&sfid=7015Y000003WdFOQA0>

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