

1 *~~4575/3.54~~* **SECTION 217.** 71.34 (1g) (L) of the statutes is amended to read:
2 71.34 (1g) (L) "Internal Revenue Code" for tax-option corporations, for taxable
3 years that begin after December 31, 1996, and before January 1, 1998, means the
4 federal Internal Revenue Code as amended to December 31, 1996, excluding
5 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
6 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
7 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,
8 P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431
9 of P.L. 107-16, and as indirectly affected in the provisions applicable to this
10 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
11 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
12 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
13 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
14 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
15 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
16 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
17 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
18 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding
19 section 431 of P.L. 107-16, except that section 1366 (f) (relating to pass-through of
20 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
21 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin
22 purposes at the same time as for federal purposes. Amendments to the federal
23 Internal Revenue Code enacted after December 31, 1996, do not apply to this
24 paragraph with respect to taxable years beginning after December 31, 1996, and
25 before January 1, 1998, except that changes to the Internal Revenue Code made by

1 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554,
2 and P.L. 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly
3 affect the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34,
4 P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16,
5 excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the same time
6 as for federal purposes.

7 *~~4575/3.55~~* SECTION 218. 71.34 (1g) (m) of the statutes is amended to read:

8 71.34 (1g) (m) "Internal Revenue Code" for tax-option corporations, for taxable
9 years that begin after December 31, 1997, and before January 1, 1999, means the
10 federal Internal Revenue Code as amended to December 31, 1997, excluding sections
11 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
12 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
13 of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
14 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding
15 section 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to
16 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803
17 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section
18 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
19 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
20 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
21 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
22 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
23 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
24 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554,
25 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, except that

1 section 1366 (f) (relating to pass-through of items to shareholders) is modified by
2 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
3 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
4 purposes. Amendments to the federal Internal Revenue Code enacted after
5 December 31, 1997, do not apply to this paragraph with respect to taxable years
6 beginning after December 31, 1997, and before January 1, 1999, except that
7 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.
8 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.
9 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly affect the
10 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.
11 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.
12 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the
13 same time as for federal purposes.

14 *~~4575/3.56~~* **SECTION 219.** 71.34 (1g) (n) of the statutes is amended to read:

15 71.34 (1g) (n) "Internal Revenue Code" for tax-option corporations, for taxable
16 years that begin after December 31, 1998, and before January 1, 2000, means the
17 federal Internal Revenue Code as amended to December 31, 1998, excluding sections
18 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
19 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
20 of P.L. 104-188, and as amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L.
21 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.
22 107-16, and as indirectly affected in the provisions applicable to this subchapter by
23 P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2),
24 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.
25 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.

1 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
2 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
3 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
4 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
5 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
6 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519,
7 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,
8 except that section 1366 (f) (relating to pass-through of items to shareholders) is
9 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
10 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
11 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
12 after December 31, 1998, do not apply to this paragraph with respect to taxable years
13 beginning after December 31, 1998, and before January 1, 2000, except that
14 changes to the Internal Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L.
15 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding
16 section 431 of P.L. 107-16, and changes that indirectly affect the provisions
17 applicable to this subchapter made by P.L. 106-36 and, P.L. 106-170, P.L. 106-230,
18 P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of
19 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

20 *4575/3.57* SECTION 220. 71.34 (1g) (o) of the statutes is amended to read:

21 71.34 (1g) (o) "Internal Revenue Code" for tax-option corporations, for taxable
22 years that begin after December 31, 1999, and before January 1, 2001, means the
23 federal Internal Revenue Code as amended to December 31, 1999, excluding sections
24 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
25 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)

1 of P.L. 104-188, and as amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.
2 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and
3 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,
4 P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
5 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
6 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
7 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
8 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
9 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
11 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
12 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519,
13 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,
14 except that section 1366 (f) (relating to pass-through of items to shareholders) is
15 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
16 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
17 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
18 after December 31, 1999, do not apply to this paragraph with respect to taxable years
19 beginning after December 31, 1999, and before January 1, 2001, except that changes
20 to the Internal Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.
21 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and
22 changes that indirectly affect the provisions applicable to this subchapter made by
23 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.
24 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the
25 same time as for federal purposes.

1 *~~4575/3.58~~* **SECTION 221.** 71.34 (1g) (p) of the statutes is created to read:

2 71.34 (1g) (p) "Internal Revenue Code" for tax-option corporations, for taxable
3 years that begin after December 31, 2000, and before January 1, 2002, means the
4 federal Internal Revenue Code as amended to December 31, 2000, excluding sections
5 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
6 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
7 of P.L. 104-188, and as amended by P.L. 107-16, excluding section 431 of P.L. 107-16,
8 and P.L. 107-22, and as indirectly affected in the provisions applicable to this
9 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2)
10 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
11 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
12 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
13 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
14 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
15 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
16 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
17 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L.
18 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-16, excluding section
19 431 of P.L. 107-16, and P.L. 107-22, except that section 1366 (f) (relating to
20 pass-through of items to shareholders) is modified by substituting the tax under s.
21 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies
22 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
23 federal Internal Revenue Code enacted after December 31, 2000, do not apply to this
24 paragraph with respect to taxable years beginning after December 31, 2000, and
25 before January 1, 2002, except that changes to the Internal Revenue Code made by

1 P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, and changes that
2 indirectly affect the provisions applicable to this subchapter made by P.L. 107-16,
3 excluding section 431 of P.L. 107-16, and P.L. 107-22, apply for Wisconsin purposes
4 at the same time as for federal purposes.

5 ***-4575/3.59* SECTION 222.** 71.34 (1g) (q) of the statutes is created to read:

6 71.34 (1g) (q) "Internal Revenue Code" for tax-option corporations, for taxable
7 years that begin after December 31, 2001, means the federal Internal Revenue Code
8 as amended to December 31, 2001, excluding sections 103, 104, and 110 of P.L.
9 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
10 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section
11 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to this
12 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2)
13 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
14 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
15 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
16 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
17 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
18 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
19 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
20 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L.
21 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16,
22 excluding section 431 of P.L. 107-16, and P.L. 107-22, except that section 1366 (f)
23 (relating to pass-through of items to shareholders) is modified by substituting the
24 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue
25 Code applies for Wisconsin purposes at the same time as for federal purposes.

1 Amendments to the federal Internal Revenue Code enacted after December 31, 2001,
2 do not apply to this paragraph with respect to taxable years beginning after
3 December 31, 2001.

4 *~~4575/3.60~~* SECTION 223. 71.365 (1m) of the statutes is renumbered 71.365
5 (1m) (a) and amended to read:

6 71.365 (1m) (a) ~~A~~ For taxable years that begin after December 31, 2000, and
7 before January 1, 2002, a tax-option corporation may compute amortization and
8 depreciation under either the federal Internal Revenue Code as amended to
9 December 31, 1999 2000, or the federal Internal Revenue Code in effect for the
10 taxable year for which the return is filed, except that property first placed in service
11 by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under
12 s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the Internal
13 Revenue Code as amended to December 31, 1980, and property first placed in service
14 in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04
15 (15) (bm), 1985 stats., is required to be depreciated under the Internal Revenue Code
16 as amended to December 31, 1980, shall continue to be depreciated under the
17 Internal Revenue Code as amended to December 31, 1980. Any difference between
18 the adjusted basis for federal income tax purposes and the adjusted basis under this
19 chapter shall be taken into account in determining net income or loss in the year or
20 years for which the gain or loss is reportable under this chapter. If that property was
21 placed in service by the taxpayer during taxable year 1986 and thereafter but before
22 the property is used in the production of income subject to taxation under this
23 chapter, the property's adjusted basis and the depreciation or other deduction
24 schedule are not required to be changed from the amount allowable on the owner's
25 federal income tax returns for any year because the property is used in the

1 production of income subject to taxation under this chapter. If that property was
2 acquired in a transaction in taxable year 1986 or thereafter in which the adjusted
3 basis of the property in the hands of the transferee is the same as the adjusted basis
4 of the property in the hands of the transferor, the Wisconsin adjusted basis of that
5 property on the date of transfer is the adjusted basis allowable under the Internal
6 Revenue Code as defined for Wisconsin purposes for the property in the hands of the
7 transferor.

8 *~~4575/3.61~~* **SECTION 224.** 71.365 (1m) (b) of the statutes is created to read:

9 71.365 (1m) (b) For taxable years that begin after December 31, 2001, a
10 tax-option corporation may compute amortization and depreciation under either the
11 federal Internal Revenue Code as amended to December 31, 2001, or the federal
12 Internal Revenue Code in effect for the taxable year for which the return is filed,
13 except that property first placed in service by the taxpayer on or after
14 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
15 1985 stats., is required to be depreciated under the Internal Revenue Code as
16 amended to December 31, 1980, and property first placed in service in taxable year
17 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
18 stats., is required to be depreciated under the Internal Revenue Code as amended
19 to December 31, 1980, shall continue to be depreciated under the Internal Revenue
20 Code as amended to December 31, 1980. Any difference between the adjusted basis
21 for federal income tax purposes and the adjusted basis under this chapter shall be
22 taken into account in determining net income or loss in the year or years for which
23 the gain or loss is reportable under this chapter. If that property was placed in
24 service by the taxpayer during taxable year 1986 and thereafter but before the
25 property is used in the production of income subject to taxation under this chapter,

1 the property's adjusted basis and the depreciation or other deduction schedule are
2 not required to be changed from the amount allowable on the owner's federal income
3 tax returns for any year because the property is used in the production of income
4 subject to taxation under this chapter. If that property was acquired in a transaction
5 in taxable year 1986 or thereafter in which the adjusted basis of the property in the
6 hands of the transferee is the same as the adjusted basis of the property in the hands
7 of the transferor, the Wisconsin adjusted basis of that property on the date of transfer
8 is the adjusted basis allowable under the Internal Revenue Code as defined for
9 Wisconsin purposes for the property in the hands of the transferor.

10 *~~4575/3.62~~* SECTION 225. 71.42 (2) (f) of the statutes is repealed.

11 *~~4575/3.63~~* SECTION 226. 71.42 (2) (g) of the statutes is repealed.

12 *~~4575/3.64~~* SECTION 227. 71.42 (2) (h) of the statutes is amended to read:

13 71.42 (2) (h) For taxable years that begin after December 31, 1993, and before
14 January 1, 1995, "Internal Revenue Code" means the federal Internal Revenue Code
15 as amended to December 31, 1993 excluding sections 103, 104, and 110 of P.L.
16 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L.
17 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7,
18 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
19 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
20 and P.L. 106-554, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L.
21 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
22 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
23 102-486 and P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174,
24 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
25 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.

1 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
2 and P.L. 106-554, except that "Internal Revenue Code" does not include section 847
3 of the federal Internal Revenue Code. The Internal Revenue Code applies for
4 Wisconsin purposes at the same time as for federal purposes. Amendments to the
5 federal Internal Revenue Code enacted after December 31, 1993, do not apply to this
6 paragraph with respect to taxable years beginning after December 31, 1993, and
7 before January 1, 1995, except that changes to the Internal Revenue Code made by
8 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L.
9 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L.
10 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and
11 changes that indirectly affect the provisions applicable to this subchapter made by
12 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L.
13 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L.
14 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for
15 Wisconsin purposes at the same time as for federal purposes.

16 *~~4575/3.65~~* **SECTION 228.** 71.42 (2) (i) of the statutes is amended to read:

17 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before
18 January 1, 1996, "Internal Revenue Code" means the federal Internal Revenue Code
19 as amended to December 31, 1994, excluding sections 103, 104, and 110 of P.L.
20 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
21 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204,
22 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.
23 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected by P.L.
24 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
25 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.

1 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
2 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
3 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of
4 P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L.
5 105-277, and P.L. 106-554, except that "Internal Revenue Code" does not include
6 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
7 applies for Wisconsin purposes at the same time as for federal purposes.
8 Amendments to the federal Internal Revenue Code enacted after
9 December 31, 1994, do not apply to this paragraph with respect to taxable years
10 beginning after December 31, 1994, and before January 1, 1996, except that
11 changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-188, excluding
12 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
13 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that
14 indirectly affect the provisions applicable to this subchapter made by P.L. 104-7, P.L.
15 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
16 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
17 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

18 *~~4575/3.66~~* **SECTION 229.** 71.42 (2) (j) of the statutes is amended to read:

19 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before
20 January 1, 1997, "Internal Revenue Code" means the federal Internal Revenue Code
21 as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.
22 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
23 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311,
24 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
25 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected by P.L.

1 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
2 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
3 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
4 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
5 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and
6 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
7 105-206 and, P.L. 105-277, and P.L. 106-554, except that "Internal Revenue Code"
8 does not include section 847 of the federal Internal Revenue Code. The Internal
9 Revenue Code applies for Wisconsin purposes at the same time as for federal
10 purposes. Amendments to the federal Internal Revenue Code enacted after
11 December 31, 1995, do not apply to this paragraph with respect to taxable years
12 beginning after December 31, 1995, and before January 1, 1997, except that
13 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections
14 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
15 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes
16 that indirectly affect the provisions applicable to this subchapter made by P.L.
17 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
18 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
19 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal
20 purposes.

21 ***-4575/3.67* SECTION 230.** 71.42 (2) (k) of the statutes is amended to read:

22 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before
23 January 1, 1998, "Internal Revenue Code" means the federal Internal Revenue Code
24 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.
25 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66

1 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
2 amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36,
3 P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly
4 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
5 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
6 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
7 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
8 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
9 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
10 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and
11 P.L. 107-16, excluding section 431 of P.L. 107-16, except that "Internal Revenue
12 Code" does not include section 847 of the federal Internal Revenue Code. The
13 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
14 purposes. Amendments to the federal Internal Revenue Code enacted after
15 December 31, 1996, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1996, and before January 1, 1998, except that
17 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
18 105-206, P.L. 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding
19 section 431 of P.L. 107-16, and changes that indirectly affect the provisions
20 applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.
21 105-277 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of
22 P.L. 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

23 ***-4575/3.68*** SECTION 231. 71.42 (2) (L) of the statutes is amended to read:

24 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before
25 January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code

1 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.
2 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
3 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
4 amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,
5 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,
6 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,
7 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding
8 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,
9 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
10 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding
11 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191,
12 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277,
13 P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16,
14 excluding section 431 of P.L. 107-16, except that "Internal Revenue Code" does not
15 include section 847 of the federal Internal Revenue Code. The Internal Revenue
16 Code applies for Wisconsin purposes at the same time as for federal purposes.
17 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,
18 do not apply to this paragraph with respect to taxable years beginning after
19 December 31, 1997, and before January 1, 1999, except that changes to the Internal
20 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and,
21 P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of
22 P.L. 107-16, and changes that indirectly affect the provisions applicable to this
23 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.
24 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.
25 107-16, apply for Wisconsin purposes at the same time as for federal purposes.

1 *~~4575/3.69~~* **SECTION 232.** 71.42 (2) (m) of the statutes is amended to read:

2 71.42 (2) (m) For taxable years that begin after December 31, 1998, and before
3 January 1, 2000, "Internal Revenue Code" means the federal Internal Revenue Code
4 as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.
5 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
6 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
7 amended by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554,
8 P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly
9 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
10 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
11 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
13 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
14 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
15 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.
16 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L. 107-16,
17 excluding section 431 of P.L. 107-16, except that "Internal Revenue Code" does not
18 include section 847 of the federal Internal Revenue Code. The Internal Revenue
19 Code applies for Wisconsin purposes at the same time as for federal purposes.
20 Amendments to the federal Internal Revenue Code enacted after December 31, 1998,
21 do not apply to this paragraph with respect to taxable years beginning after
22 December 31, 1998, and before January 1, 2000, except that changes to the Internal
23 Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519,
24 P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16,
25 and changes that indirectly affect the provisions applicable to this subchapter made

1 by P.L. 106-36 and, P.L. 106-170, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
2 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin
3 purposes at the same time as for federal purposes.

4 *~~4575/3.70~~* **SECTION 233.** 71.42 (2) (n) of the statutes is amended to read:

5 71.42 (2) (n) For taxable years that begin after December 31, 1999, and before
6 January 1, 2001, "Internal Revenue Code" means the federal Internal Revenue Code
7 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
8 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
9 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
10 amended by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573,
11 and P.L. 107-16, excluding section 431 of P.L. 107-16, and as indirectly affected by
12 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
13 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
14 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
15 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
16 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
17 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
18 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,
19 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.
20 107-16, excluding section 431 of P.L. 107-16, except that "Internal Revenue Code"
21 does not include section 847 of the federal Internal Revenue Code. The Internal
22 Revenue Code applies for Wisconsin purposes at the same time as for federal
23 purposes. Amendments to the federal Internal Revenue Code enacted after
24 December 31, 1999, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 1999, and before January 1, 2001, except that changes

1 to the Internal Revenue Code made by P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.
2 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L. 107-16, and
3 changes that indirectly affect the provisions applicable to this subchapter made by
4 P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573, and P.L.
5 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the
6 same time as for federal purposes.

7 *~~4575/3.71~~* SECTION 234. 71.42 (2) (o) of the statutes is created to read:

8 71.42 (2) (o) For taxable years that begin after December 31, 2000, and before
9 January 1, 2002, "Internal Revenue Code" means the federal Internal Revenue Code
10 as amended to December 31, 2000, excluding sections 103, 104, and 110 of P.L.
11 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
12 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
13 amended by P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, and
14 as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
15 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
16 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
17 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
18 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
19 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
20 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
21 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
22 106-573, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L. 107-22, except
23 that "Internal Revenue Code" does not include section 847 of the federal Internal
24 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the
25 same time as for federal purposes. Amendments to the federal Internal Revenue

1 Code enacted after December 31, 2000, do not apply to this paragraph with respect
2 to taxable years beginning after December 31, 2000, and before January 1, 2002,
3 except that changes to the Internal Revenue Code made by P.L. 107-16, excluding
4 section 431 of P.L. 107-16, and P.L. 107-22, and changes that indirectly affect the
5 provisions applicable to this subchapter made by P.L. 107-16, excluding section 431
6 of P.L. 107-16, and P.L. 107-22, apply for Wisconsin purposes at the same time as
7 for federal purposes.

8 *~~4575/3.72~~* SECTION 235. 71.42 (2) (p) of the statutes is created to read:

9 71.42 (2) (p) For taxable years that begin after December 31, 2001, "Internal
10 Revenue Code" means the federal Internal Revenue Code as amended to
11 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102-227, sections
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
13 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and section 431 of P.L. 107-16,
14 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,
15 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding
16 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,
17 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
18 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding
19 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191,
20 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277,
21 P.L. 106-36, P.L. 106-170, P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L. 106-554,
22 P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, and P.L.
23 107-22, except that "Internal Revenue Code" does not include section 847 of the
24 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin
25 purposes at the same time as for federal purposes. Amendments to the federal

1 Internal Revenue Code enacted after December 31, 2001, do not apply to this
2 paragraph with respect to taxable years beginning after December 31, 2001.

3 *~~4575/3.73~~* SECTION 236. 71.45 (2) (a) 13. of the statutes is renumbered 71.45
4 (2) (a) 13. a. and amended to read:

5 71.45 (2) (a) 13. a. By For taxable years that begin after December 31, 2000,
6 and before January 1, 2002, by adding or subtracting, as appropriate, the difference
7 between the depreciation deduction under the federal Internal Revenue Code as
8 amended to December 31, ~~1999~~ 2000, and the depreciation deduction under the
9 federal Internal Revenue Code in effect for the taxable year for which the return is
10 filed, so as to reflect the fact that the insurer may choose between these 2 deductions,
11 except that property first placed in service by the taxpayer on or after
12 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
13 1985 stats., is required to be depreciated under the Internal Revenue Code as
14 amended to December 31, 1980, and property first placed in service in taxable year
15 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
16 stats., is required to be depreciated under the Internal Revenue Code as amended
17 to December 31, 1980, shall continue to be depreciated under the Internal Revenue
18 Code as amended to December 31, 1980.

19 *~~4575/3.74~~* SECTION 237. 71.45 (2) (a) 13. b. of the statutes is created to read:

20 71.45 (2) (a) 13. b. For taxable years that begin after December 31, 2001, by
21 adding or subtracting, as appropriate, the difference between the depreciation
22 deduction under the federal Internal Revenue Code as amended to December 31,
23 2001, and the depreciation deduction under the federal Internal Revenue Code in
24 effect for the taxable year for which the return is filed, so as to reflect the fact that
25 the insurer may choose between these 2 deductions, except that property first placed

1 in service by the taxpayer on or after January 1, 1983, but before January 1, 1987,
2 that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under
3 the Internal Revenue Code as amended to December 31, 1980, and property first
4 placed in service in taxable year 1981 or thereafter but before January 1, 1987, that,
5 under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the Internal
6 Revenue Code as amended to December 31, 1980, shall continue to be depreciated
7 under the Internal Revenue Code as amended to December 31, 1980.

8 *~~4548/2.66~~* *~~3266/P1.41~~* **SECTION 238.** 71.83 (2) (b) of the statutes is
9 amended to read:

10 71.83 (2) (b) *Felony.* 1. 'False income tax return; fraud.' Any person, other than
11 a corporation or limited liability company, who renders a false or fraudulent income
12 tax return with intent to defeat or evade any assessment required by this chapter
13 ~~shall be is~~ guilty of a Class H felony and may be ~~fined not more than \$10,000 or~~
14 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
15 the cost of prosecution. In this subdivision, "return" includes a separate return filed
16 by a spouse with respect to a taxable year for which a joint return is filed under s.
17 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by
18 the spouses with respect to a taxable year for which a separate return is filed under
19 s. 71.03 (2) (m) after the filing of that joint return.

20 2. 'Officer of a corporation; false franchise or income tax return.' Any officer
21 of a corporation or manager of a limited liability company required by law to make,
22 render, sign or verify any franchise or income tax return, who makes any false or
23 fraudulent franchise or income tax return, with intent to defeat or evade any
24 assessment required by this chapter ~~shall be is~~ guilty of a Class H felony and may

1 be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months
2 or both, together with assessed the cost of prosecution.

3 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,
4 depositing or concealing any property upon which a levy is authorized with intent
5 to evade or defeat the assessment or collection of any tax administered by the
6 department is guilty of a Class I felony and may be fined not more than \$5,000 or
7 imprisoned for not more than 4 years and 6 months or both, together with assessed
8 the costs cost of prosecution.

9 4. 'Fraudulent claim for credit.' The A claimant who filed files a claim for credit
10 under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was
11 filed with fraudulent intent and any person who assisted, with fraudulent intent,
12 assists in the preparation or filing of the false or excessive claim or supplied
13 information upon which the false or excessive claim was prepared, with fraudulent
14 intent, is guilty of a Class H felony and may be fined not more than \$10,000 or
15 imprisoned for not more than 7 years and 6 months or both, together with assessed
16 the cost of prosecution.

17 *~~4709/2.4~~* SECTION 239. 73.0305 of the statutes, as affected by 2001
18 Wisconsin Act 16, is amended to read:

19 **73.0305 Revenue limits and ~~intradistrict transfer aid calculations~~ levy**
20 **limit.** The Annually by the 4th Monday in June, the department of revenue shall
21 annually determine and certify to the state superintendent of public instruction, ~~no~~
22 ~~later than the 4th Monday in June,~~ the allowable rate of increase under subch. VII
23 of ch. 121, and shall determine and certify to each technical college district board the
24 allowable rate of increase under s. 38.16 (1) (b) 1. The allowable rate of increase is
25 the percentage change in the consumer price index for all urban consumers, U.S. city

1 average, between the preceding March 31 and the 2nd preceding March 31, as
2 computed by the federal department of labor.

3 ***-4550/8.8* SECTION 240.** 79.01 (1) of the statutes, as affected by 2001
4 Wisconsin Act 16, is amended to read:

5 79.01 (1) There is established an account in the general fund entitled the
6 "Expenditure Restraint Program Account." There shall be appropriated to that
7 account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000
8 in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and
9 in the year 2001; \$57,570,000 in 2002; and ~~\$58,145,700 in 2003 and in each year~~
10 thereafter, less reductions under s. 79.085.

11 ***-4550/8.9* SECTION 241.** 79.02 (1) of the statutes is amended to read:

12 79.02 (1) The department of administration, upon certification by the
13 department of revenue, shall distribute shared revenue payments to each
14 municipality and county on the 4th Monday in July and the 3rd Monday in
15 November, except that in 2003, shared revenue payments shall be distributed on
16 June 30 and on the 3rd Monday in November.

17 ***-4550/8.10* SECTION 242.** 79.02 (2) (b) of the statutes is amended to read:

18 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
19 municipality's or county's estimated payments under ss. 79.03, 79.04, 79.058, and
20 79.06 and 100% of the municipality's estimated payments under s. 79.05, except that
21 in July 2002, each county and municipality shall receive payments equal to the
22 amount determined under s. 79.085 (1) (b) and (2), multiplied by the July 2002
23 payment factor. In this paragraph, "July 2002 payment factor" means the amount
24 that is equal to \$580,000,000, less any amount expended from the appropriation
25 account under s. 20.855 (4) (rm) during the 2001-02 fiscal year, divided by

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\$679,415,800

1 ~~\$729,415,800~~ Payments in July 2002 shall be made from the appropriation account
2 under s. 20.855 (4) (rb).

3 *4550/8.11* SECTION 243. 79.02 (2) (c) of the statutes is created to read:

4 79.02 (2) (c) Subject to s. 59.605 (4), on June 30, 2003, each county and
5 municipality shall receive payments equal to the amount determined under s. 79.085
6 (1) (b) and (2), multiplied by the June 2003 payment factor. In this paragraph, "June
7 2003 payment factor" means the amount that is equal to the moneys available, as
8 determined by the department of administration, from the appropriation account

9 under s. 20.855 (4) (rb), divided by ~~\$729,415,800~~ Payments in June 2003 shall be
10 made from the appropriation account under s. 20.855 (4) (rb). \$679,415,800

11 *4550/8.12* SECTION 244. 79.02 (3) of the statutes is amended to read:

12 79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in
13 November shall equal that municipality's or county's entitlement to shared revenues
14 under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the
15 amount distributed to the municipality or county in July or, for distributions in 2003,
16 on June 30, 2003. The total amount of the payments in July and November 2002
17 shall be ~~\$729,415,800~~ The total amount of the payments in June and November

18 2003 shall be ~~\$729,415,800~~ \$679,415,800

19 *4462/4.10* SECTION 245. 79.03 (1) of the statutes is amended to read:

20 79.03 (1) ~~Each~~ Ending with the distributions in 2003, each municipality and
21 county is entitled to shared revenue, consisting of an amount determined on the basis
22 of population under sub. (2), plus an amount determined under sub. (3).

23 *4462/4.11* SECTION 246. 79.03 (3c) (b) (intro.) of the statutes is amended to
24 read:

1 79.03 (3c) (b) *Eligibility*. (intro.) ~~A~~ Ending with the distributions in 2003, a
2 municipality is eligible for a payment under this subsection if all of the following
3 conditions are met:

4 *~~4550/8.13~~* SECTION 247. 79.03 (3c) (f) of the statutes, as affected by 2001
5 Wisconsin Act 16, is amended to read:

6 79.03 (3c) (f) *Distribution amount*. If the total amounts calculated under pars.
7 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
8 paid to each eligible municipality shall be paid on a prorated basis. The total amount
9 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
10 in 1996 and ending in 1999; \$11,000,000 in the year 2000 and in the year 2001;
11 \$11,110,000 in 2002; and ~~\$11,221,100 in 2003 and in each year thereafter~~, less
12 reductions under s. 79.085.

13 *~~4550/8.14~~* SECTION 248. 79.03 (4) of the statutes, as affected by 2001
14 Wisconsin Act 16, is amended to read:

15 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
16 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
17 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
18 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
19 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
20 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
21 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
22 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
23 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
24 total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. ~~ss. 20.835~~
25 (1) (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities, less reductions under

1 s. 79.085, and \$170,671,600 to counties, less reductions under s. 79.085. In 2003 and
2 subsequent years, the total amounts to be distributed under ss. 79.03, 79.04, and
3 79.06 from ~~ss. 20.835 (1) (d) and 20.855 (4) (rb)~~ are ~~\$776,783,700~~ \$769,092,800 to
4 municipalities and ~~\$172,378,300~~ \$170,671,600 to counties, less reductions under s.
5 79.085.

6 *~~4550/8.15~~* SECTION 249. 79.03 (5) (a) of the statutes, as affected by 2001
7 Wisconsin Act 16, is amended to read:

8 79.03 (5) (a) In 2002 ~~and 2003~~, each municipality shall receive a shared
9 revenue payment that is equal to the amount of the payment it received in the
10 previous year, multiplied by 101% and less reductions under s. 79.085.

11 *~~4462/4.12~~* SECTION 250. 79.03 (6) of the statutes is created to read:

12 79.03 (6) Beginning in 2004, no municipality or county may receive payments
13 under subs. (2) and (3) and no municipality may receive a payment under sub. (3c).

14 *~~4462/4.13~~* SECTION 251. 79.04 (1) (intro.) of the statutes, as affected by 2001
15 Wisconsin Act 16, is amended to read:

16 79.04 (1) (intro.) Annually, ending with the distributions in 2003, the
17 department of administration, upon certification by the department of revenue, shall
18 distribute to a municipality having within its boundaries a production plant or a
19 general structure, including production plants and general structures under
20 construction, used by a light, heat, or power company assessed under s. 76.28 (2) or
21 76.29 (2), except property described in s. 66.0813 unless the production plant is
22 owned or operated by a local governmental unit located outside of the municipality,
23 or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by
24 a municipal electric company under s. 66.0825 the amount determined as follows:

1 *~~4462/4.14~~* **SECTION 252.** 79.04 (2) (a) of the statutes, as affected by 2001
2 Wisconsin Act 16, is amended to read:

3 79.04 (2) (a) Annually, ending with the distributions in 2003, the department
4 of administration, upon certification by the department of revenue, shall distribute
5 from the shared revenue account to any county having within its boundaries a
6 production plant or a general structure, including production plants and general
7 structures under construction, used by a light, heat, or power company assessed
8 under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the
9 production plant is owned or operated by a local governmental unit that is located
10 outside of the municipality in which the production plant is located, or by an electric
11 cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal
12 electric company under s. 66.0825 an amount determined by multiplying by 6 mills
13 in the case of property in a town and by 3 mills in the case of property in a city or
14 village the first \$125,000,000 of the amount shown in the account, plus leased
15 property, of each public utility except qualified wholesale electric companies, as
16 defined in s. 76.28 (1) (gm), on December 31 of the preceding year for either
17 "production plant, exclusive of land" and "general structures", or "work in progress"
18 for production plants and general structures under construction, in the case of light,
19 heat, and power companies, electric cooperatives, or municipal electric companies,
20 for all property within the municipality in accordance with the system of accounts
21 established by the public service commission or rural electrification administration,
22 less depreciation thereon as determined by the department of revenue and less the
23 value of treatment plant and pollution abatement equipment, as defined under s.
24 70.11 (21) (a), as determined by the department of revenue plus an amount from the
25 shared revenue account determined by multiplying by 6 mills in the case of property

1 in a town, and 3 mills in the case of property in a city or village, of the total original
2 cost of production plant, general structures, and work-in-progress less depreciation,
3 land, and approved waste treatment facilities of each qualified wholesale electric
4 company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of
5 all property within the municipality. The total of amounts, as depreciated, from the
6 accounts of all public utilities for the same production plant is also limited to not
7 more than \$125,000,000. The amount distributable to a county in any year shall not
8 exceed \$100 times the population of the county.

9 *~~4462/4.15~~* SECTION 253. 79.04 (4) (a) of the statutes is amended to read:

10 79.04 (4) (a) Annually, ending with the distributions in 2003, in addition to the
11 amount distributed under sub. (1), the department of administration shall distribute
12 \$50,000 to a municipality if spent nuclear fuel is stored within the municipality on
13 December 31 of the preceding year. If a spent nuclear fuel storage facility is located
14 within one mile of a municipality, that municipality shall receive \$10,000 annually
15 and the municipality where that storage facility is located shall receive \$40,000
16 annually.

17 *~~4462/4.16~~* SECTION 254. 79.04 (4) (b) of the statutes is amended to read:

18 79.04 (4) (b) Annually, ending with the distributions in 2003, in addition to the
19 amount distributed under sub. (2), the department of administration shall distribute
20 \$50,000 to a county if spent nuclear fuel is stored within the county on December 31
21 of the preceding year. If a spent nuclear fuel storage facility is located at a production
22 plant located in more than one county, the payment shall be apportioned according
23 to the formula under sub. (1) (c) 2., except that the formula, as it applies to
24 municipalities in that subdivision, applies to counties in this paragraph. The
25 payment under this paragraph may not be less than \$10,000 annually.

1 *~~4462/4.17~~* **SECTION 255.** 79.04 (5) of the statutes is created to read:

2 79.04 (5) Beginning in 2004, no municipality or county may receive a payment
3 under this section.

4 *~~4462/4.18~~* **SECTION 256.** 79.05 (2) (intro.) of the statutes is amended to read:

5 79.05 (2) (intro.) ~~A~~ Ending with the distributions in 2003, a municipality is
6 eligible for a payment under sub. (3) if it fulfills all of the following requirements:

7 *~~4462/4.19~~* **SECTION 257.** 79.05 (7) of the statutes is created to read:

8 79.05 (7) Beginning in 2004, no municipality may receive a payment under this
9 section.

10 *~~4462/4.20~~* **SECTION 258.** 79.058 (1) of the statutes is amended to read:

11 79.058 (1) ~~Each~~ Ending with the distributions in 2003, ~~each~~ county is entitled
12 to a mandate relief payment equal to the per person distribution under sub. (2) times
13 the county's population for the year in which the statement under s. 79.015 is
14 provided as determined under s. 16.96 (2).

15 *~~4550/8.16~~* **SECTION 259.** 79.058 (3) (d) of the statutes, as created by 2001
16 Wisconsin Act 16, is amended to read:

17 79.058 (3) (d) In 2002, \$20,971,400, less reductions under s. 79.085.

18 *~~4550/8.17~~* **SECTION 260.** 79.058 (3) (e) of the statutes, as created by 2001
19 Wisconsin Act 16, is amended to read:

20 79.058 (3) (e) In 2003 ~~and subsequent years~~ \$21,181,100, \$20,971,400, less
21 reductions under s. 79.085.

22 *~~4462/4.21~~* **SECTION 261.** 79.058 (4) of the statutes is created to read:

23 79.058 (4) Beginning in 2004, no county may receive a payment under this
24 section.

25 *~~4550/8.18~~* **SECTION 262.** 79.06 (1) (b) of the statutes is amended to read:

1 79.06 (1) (b) If the payments to any municipality or county under s. 79.03,
2 excluding payments under s. 79.03 (3c), in 1986 or any year thereafter, except after
3 the reductions under s. 79.085 in 2002, are less than 95% of the combined payments
4 to the municipality or county under this section and s. 79.03, excluding payments
5 under s. 79.03 (3c), for the previous year, the municipality or county has an aids
6 deficiency. The amount of the aids deficiency is the amount by which 95% of the
7 combined payments to the municipality or county under this section and s. 79.03,
8 excluding payments under s. 79.03 (3c), in the previous year exceeds the payments
9 to the municipality or county under s. 79.03, excluding payments under s. 79.03 (3c),
10 in the current year.

11 *~~4462/4.22~~* **SECTION 263.** 79.06 (3) of the statutes is created to read:

12 79.06 (3) SUNSET. Beginning in 2004, no municipality or county may receive
13 a payment under this section.

14 *~~4550/8.19~~* **SECTION 264.** 79.085 of the statutes is created to read:

15 **79.085 Reductions.** (1) CALCULATION. (a) The department of revenue shall
16 determine the amount of the payments under ss. 79.03 (2), (3), (3c), and (5) (a) and
17 79.05 to be distributed to each municipality in 2002 and the amount of the payments
18 under ss. 79.03 (2) and (3) and 79.058 to be distributed to each county in 2002.

19 (b) The department of revenue shall reduce the amount of the payments to be
20 distributed to each municipality and county, as determined under par. (a), by
21 subtracting from such payments an amount based on population, as determined by
22 the department, so that the total amount of the reduction to all such payments in
23 2002 is ~~\$200,000,000~~, except that the reduction applied to any county's or
24 municipality's payment shall not exceed the amount determined under par. (a) to be
25 distributed to the municipality or county in 2002. Notwithstanding s. 79.005 (2), to

\$ 350,000,000

1 calculate reductions under this paragraph, the department shall estimate
2 population by using the 2000 federal decennial census.

3 (c) The amount of the payments under ss. 79.03 (2), (3), and (3c) and 79.05 to
4 be distributed to each municipality in 2003 and the amount of the payments under
5 ss. 79.03 (2) and (3) and 79.058 to be distributed to each county in 2003 shall be equal
6 to the amount of such payments distributed to the municipality or county in 2002 as
7 calculated under par. (b).

8 (2) REDUCTION PRIORITY. (a) For payments to counties in 2002 and 2003, after
9 the department of revenue calculates the total reduction of payments to counties
10 under sub. (1) (b), the department shall reduce the following payments, consistent
11 with the calculation under par. (b), in the following order:

- 12 1. Payments from the appropriation account under s. 20.835 (1) (f).
- 13 2. Payments from the appropriation account under s. 20.835 (1) (d).

14 (b) For payments to municipalities in 2002 and 2003, after the department of
15 revenue calculates the total reduction of payments to municipalities under sub. (1)
16 (b), the department shall reduce the following payments, consistent with the
17 calculation under par. (b), in the following order:

- 18 1. Payments from the appropriation account under s. 20.835 (1) (d).
- 19 2. Payments from the appropriation account under s. 20.835 (1) (b).
- 20 3. Payments from the appropriation account under s. 20.835 (1) (c).

21 *~~4548/2.67~~* *~~3266/P1.42~~* **SECTION 265.** 86.192 (4) of the statutes is
22 amended to read:

23 86.192 (4) Any person who violates this section ~~shall be fined not more than~~
24 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
25 if the injury, defacement or removal causes the death of a person.

1 *~~4540/1.2~~* **SECTION 266.** 93.29 of the statutes is repealed.

2 *~~4548/2.68~~* *~~3266/P1.43~~* **SECTION 267.** 97.43 (4) of the statutes is amended
3 to read:

4 97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~
5 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
6 guilty of a Class H felony.

7 *~~4548/2.69~~* *~~3266/P1.44~~* **SECTION 268.** 97.45 (2) of the statutes is amended
8 to read:

9 97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~
10 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
11 guilty of a Class H felony.

12 *~~4548/2.70~~* *~~3266/P1.45~~* **SECTION 269.** 100.171 (7) (b) of the statutes is
13 amended to read:

14 100.171 (7) (b) Whoever intentionally violates this section ~~may be fined not~~
15 ~~more than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class~~
16 I felony. A person intentionally violates this section if the violation occurs after the
17 department or a district attorney has notified the person by certified mail that the
18 person is in violation of this section.

19 *~~4548/2.71~~* *~~3266/P1.46~~* **SECTION 270.** 100.2095 (6) (d) of the statutes is
20 amended to read:

21 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not ~~less~~
22 ~~than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~
23 9 months or both. Each day of violation constitutes a separate offense.

24 *~~4548/2.72~~* *~~3266/P1.47~~* **SECTION 271.** 100.26 (2) of the statutes is
25 amended to read:

1 100.26 (2) Any person violating s. 100.02 shall be fined not less than \$50 nor
2 more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and
3 6 months or both is guilty of a Class I felony.

4 *~~4548/2.73~~* *~~3266/P1.48~~* SECTION 272. 100.26 (5) of the statutes, as
5 affected by 2001 Wisconsin Act 16, is amended to read:

6 100.26 (5) Any person violating s. 100.18 (9) shall may be fined not less than
7 \$100 nor more than \$1,000 \$10,000 or imprisoned for not more than 2 years 9 months
8 or both. Each day of violation constitutes a separate offense.

9 *~~4548/2.74~~* *~~3266/P1.49~~* SECTION 273. 100.26 (7) of the statutes is
10 amended to read:

11 100.26 (7) Any person violating s. 100.182 shall may be fined not less than \$500
12 nor more than \$5,000 \$10,000 or imprisoned for not more than 2 years 9 months or
13 both for each offense. Each unlawful advertisement published, printed or mailed on
14 separate days or in separate publications, hand bills or direct mailings is a separate
15 violation of this section.

16 *~~4548/2.75~~* SECTION 274. 101.10 (4) (b) of the statutes, as created by 2001
17 Wisconsin Act 3, is amended to read:

18 101.10 (4) (b) Except as provided in par. (c), any person who violates sub. (3)
19 ~~may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6~~
20 ~~months, or both, for each violation~~ is guilty of a Class I felony. Notwithstanding s.
21 101.02 (12), each act in violation of sub. (3) constitutes a separate offense.

22 *~~4548/2.76~~* *~~3266/P1.50~~* SECTION 275. 101.143 (10) (b) of the statutes is
23 amended to read:

24 101.143 (10) (b) Any owner or operator, person owning a home oil tank system
25 or service provider who intentionally destroys a document that is relevant to a claim

1 for reimbursement under this section ~~may be fined not more than \$10,000 or~~
2 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

3 *~~4548/2.77~~* SECTION 276. 101.9204 (2) of the statutes is amended to read:

4 101.9204 (2) Any person who knowingly makes a false statement in an
5 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
6 ~~for not more than 5 years or both~~ is guilty of a Class H felony.

7 *~~4548/2.78~~* *~~3266/P1.51~~* SECTION 277. 101.94 (8) (b) of the statutes is
8 amended to read:

9 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who
10 knowingly and wilfully violates this subchapter in a manner which threatens the
11 health or safety of a purchaser ~~shall~~ may be fined not more than \$1,000 \$10,000 or
12 ~~imprisoned for not more than 2 years 9 months~~ or both.

13 *~~4548/2.79~~* *~~3266/P1.52~~* SECTION 278. 102.835 (11) of the statutes is
14 amended to read:

15 102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in
16 removing, depositing or concealing any property upon which a levy is authorized
17 under this section with intent to evade or defeat the assessment or collection of any
18 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
19 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the
20 costs of prosecution.

21 *~~4548/2.80~~* *~~3266/P1.53~~* SECTION 279. 102.835 (18) of the statutes is
22 amended to read:

23 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
24 employer may discharge or otherwise discriminate with respect to the terms and
25 conditions of employment against any employee by reason of the fact that his or her

1 earnings have been subject to levy for any one levy or because of compliance with any
2 provision of this section. Whoever wilfully violates this subsection may be fined not
3 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

4 *~~4548/2.81~~* *~~3266/P1.54~~* **SECTION 280.** 102.85 (3) of the statutes is
5 amended to read:

6 102.85 (3) An employer who violates an order to cease operations under s.
7 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~
8 ~~years or both~~ is guilty of a Class I felony.

9 *~~4548/2.82~~* *~~3266/P1.55~~* **SECTION 281.** 108.225 (11) of the statutes is
10 amended to read:

11 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in
12 removing, depositing or concealing any property upon which a levy is authorized
13 under this section with intent to evade or defeat the assessment or collection of any
14 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
15 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the
16 costs of prosecution.

17 *~~4548/2.83~~* *~~3266/P1.56~~* **SECTION 282.** 108.225 (18) of the statutes is
18 amended to read:

19 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
20 employer may discharge or otherwise discriminate with respect to the terms and
21 conditions of employment against any employee by reason of the fact that his or her
22 earnings have been subject to levy for any one levy or because of compliance with any
23 provision of this section. Whoever wilfully violates this subsection may be fined not
24 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

1 *~~4548/2.84~~* *~~0590/P5.9~~* SECTION 283. 110.07 (5) (a) of the statutes is
2 amended to read:

3 110.07 (5) (a) In this subsection, "bulletproof garment" has the meaning given
4 in s. 939.64 (1) means a vest or other garment designed, redesigned, or adapted to
5 prevent bullets from penetrating through the garment.

6 *~~4548/2.85~~* *~~3266/P1.57~~* SECTION 284. 114.20 (18) (c) of the statutes is
7 amended to read:

8 114.20 (18) (c) Any person who knowingly makes a false statement in any
9 application or in any other document required to be filed with the department, or who
10 knowingly foregoes the submission of any application, document, or any registration
11 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~
12 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony.

13 *~~4683/1.2~~* SECTION 285. 115.28 (40) of the statutes is repealed.

14 *~~4548/2.86~~* *~~0590/P5.10~~* SECTION 286. 115.31 (2g) of the statutes is
15 amended to read:

16 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
17 revoke a license granted by the state superintendent, without a hearing, if the
18 licensee is convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss.
19 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or any
20 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a
21 violation that occurs on or after the effective date of this subsection [revisor inserts
22 date].

23 *~~4548/2.87~~* *~~0590/P5.11~~* SECTION 287. 118.19 (4) (a) of the statutes is
24 amended to read:

1 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
2 may not grant a license, for 6 years following the date of the conviction, to any person
3 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except
4 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a
5 violation that occurs on or after September 12, 1991, for 6 years following the date
6 of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except
7 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this
8 paragraph ... [revisor inserts date]. The state superintendent may grant the license
9 only if the person establishes by clear and convincing evidence that he or she is
10 entitled to the license.

11 *~~4559/1.1~~* SECTION 288. 118.30 (1m) (d) of the statutes is amended to read:

12 118.30 (1m) (d) If the school board operates high school grades, beginning in
13 the ~~2002-03~~ 2004-05 school year administer the high school graduation
14 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
15 the school district, including pupils enrolled in charter schools located in the school
16 district, in the 11th and 12th grades. The school board shall administer the
17 examination at least twice each school year and may administer the examination
18 only to pupils enrolled in the 11th and 12th grades.

19 *~~4559/1.2~~* SECTION 289. 118.30 (1r) (d) of the statutes is amended to read:

20 118.30 (1r) (d) If the charter school operates high school grades, beginning in
21 the ~~2002-03~~ 2004-05 school year, administer the high school graduation
22 examination adopted by the operator of the charter school under sub. (1g) (b) to all
23 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the
24 charter school shall administer the examination at least twice each school year and
25 may administer the examination only to pupils enrolled in the 11th and 12th grades.

1 *~~4559/1.3~~* **SECTION 290.** 118.33 (1) (f) of the statutes is amended to read:

2 118.33 (1) (f) 1. By September 1, ~~2002~~ 2004, each school board operating high
3 school grades shall develop a written policy specifying criteria for granting a high
4 school diploma that are in addition to the requirements under par. (a). The criteria
5 shall include the pupil's score on the examination administered under s. 118.30 (1m)
6 (d), the pupil's academic performance, and the recommendations of teachers. Except
7 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
8 in the school district.

9 2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40
10 (2r) that operates high school grades shall develop a policy specifying criteria for
11 granting a high school diploma. The criteria shall include the pupil's score on the
12 examination administered under s. 118.30 (1r) (d), the pupil's academic
13 performance, and the recommendations of teachers.

14 3. Beginning on September 1, ~~2003~~ 2005, neither a school board nor an
15 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to
16 any pupil unless the pupil has satisfied the criteria specified in the school board's or
17 charter school's policy under subd. 1. or 2.

18 *~~4490/6.2~~* **SECTION 291.** 121.07 (7) (a) of the statutes is amended to read:

19 121.07 (7) (a) The "primary guaranteed valuation per member" is \$2,000,000
20 \$1,930,000.

21 *~~4490/6.3~~* **SECTION 292.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001
22 Wisconsin Act 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

23 121.15 (3m) (a) 1. (intro.) "Partial school revenues" means the sum of state
24 school aids, other than the amounts appropriated under s. 20.255 (2) ~~and~~ (cv),

1 property taxes levied for school districts and aid paid to school districts under s.
2 79.095 (4), less ~~the~~ all of the following:

3 a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a
4 school board's increasing the services that it provides by adding responsibility for
5 providing a service transferred to it from another school board, less the

6 b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3., less the

7 c. The amount of any revenue limit increase under s. 121.91 (4) (j), less the

8 d. The amount of any revenue limit increase under s. 121.91 (4) (h), less the

9 e. The amount of any property taxes levied for the purpose of s. 120.13 (19), and
10 less an

11 f. An amount equal to 45% of the amount estimated to be paid under s. 119.23
12 (4) and (4m).

13 ~~*-4490/6.4*~~ **SECTION 293.** 121.15 (3m) (a) 1. g. of the statutes is created to read:

14 121.15 (3m) (a) 1. g. The amount by which the property tax levy for debt service
15 on debt that has been approved by a referendum exceeds \$490,000,000.

16 ~~*-4490/6.5*~~ **SECTION 294.** 121.15 (3m) (c) of the statutes is amended to read:

17 121.15 (3m) (c) By June 30, 1999 2004, and ~~annually~~ biennially by June 30
18 thereafter, the joint committee on finance shall determine the amount appropriated
19 under s. 20.255 (2) (ac) in the following school year.

20 ~~*-4548/2.88*~~ ~~*-3266/P1.58*~~ **SECTION 295.** 125.075 (2) of the statutes is
21 renumbered 125.075 (2) (a) and amended to read:

22 125.075 (2) (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~
23 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
24 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

1 *~~4548/2.89~~* *~~3266/P1.59~~* SECTION 296. 125.075 (2) (b) of the statutes is
2 created to read:

3 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the
4 underage person dies.

5 *~~4548/2.90~~* *~~3266/P1.60~~* SECTION 297. 125.085 (3) (a) 2. of the statutes is
6 amended to read:

7 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other
8 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~
9 ~~3 years or both~~ is guilty of a Class I felony.

10 *~~4548/2.91~~* *~~3266/P1.61~~* SECTION 298. 125.105 (2) (b) of the statutes is
11 amended to read:

12 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,
13 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~
14 ~~and 6 months or both~~ is guilty of a Class H felony.

15 *~~4548/2.92~~* *~~3266/P1.62~~* SECTION 299. 125.66 (3) of the statutes is
16 amended to read:

17 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without
18 holding appropriate permits under this chapter, or any person who sells such liquor,
19 shall be fined not more than \$10,000 or imprisoned for not more than 15 years or
20 both. ~~Second or subsequent convictions shall be punished by both the fine and~~
21 ~~imprisonment~~ is guilty of a Class F felony.

22 *~~4548/2.93~~* *~~3266/P1.63~~* SECTION 300. 125.68 (12) (b) of the statutes is
23 amended to read:

1 125.68 (12) (b) ~~Whoever violates par. (a) shall be fined not less than \$1,000 nor~~
2 ~~more than \$5,000 or imprisoned for not less than one year nor more than 15 years~~
3 ~~or both is guilty of a Class F felony.~~

4 *~~4548/2.94~~* *~~3266/P1.64~~* SECTION 301. 125.68 (12) (c) of the statutes is
5 amended to read:

6 125.68 (12) (c) Any person causing the death of another human being through
7 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
8 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~
9 ~~for not more than 15 years is guilty of a Class E felony.~~

10 *~~4548/2.95~~* *~~3266/P1.65~~* SECTION 302. 132.20 (2) of the statutes is
11 amended to read:

12 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic
13 in this state in a counterfeit mark or in any goods or service bearing or provided
14 under a counterfeit mark ~~shall~~ is guilty of a Class H felony, except that,
15 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an
16 individual, he or she may be fined not more than \$250,000 ~~or imprisoned for not more~~
17 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the
18 person may be fined not more than \$1,000,000.

19 *~~4548/2.96~~* *~~3266/P1.66~~* SECTION 303. 133.03 (1) of the statutes is
20 amended to read:

21 133.03 (1) Every contract, combination in the form of trust or otherwise, or
22 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any
23 contract or engages in any combination or conspiracy in restraint of trade or
24 commerce is guilty of a Class H felony, except that, notwithstanding the maximum
25 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if

1 a corporation, or, if any other person, may be fined not more than \$50,000 or
2 imprisoned for not more than 7 years and 6 months or both.

3 *~~4548/2.97~~* *~~3266/P1.67~~* **SECTION 304.** 133.03 (2) of the statutes is
4 amended to read:

5 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
6 combines or conspires with any other person or persons to monopolize any part of
7 trade or commerce is guilty of a Class H felony, except that, notwithstanding the
8 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
9 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000
10 or imprisoned for not more than 7 years and 6 months or both.

11 *~~4548/2.98~~* *~~3266/P1.68~~* **SECTION 305.** 134.05 (4) of the statutes is
12 amended to read:

13 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
14 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
15 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
16 9 months or both.

17 *~~4548/2.99~~* *~~3266/P1.69~~* **SECTION 306.** 134.16 of the statutes is amended
18 to read:

19 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
20 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
21 brokerage or deposit company, corporation or institution, or of any person, company
22 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit
23 business in any way, or any person engaged in such business in whole or in part, who
24 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any
25 money, or any bills, notes or other paper circulating as money, or any notes, drafts,

1 bills of exchange, bank checks or other commercial paper for safekeeping or for
2 collection, when he or she knows or has good reason to know that such bank, company
3 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~
4 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~
5 ~~not more than \$10,000~~ is guilty of a Class F felony.

6 *~~4548/2.100~~* *~~3266/P1.70~~* **SECTION 307.** 134.20 (1) (intro.) of the statutes
7 is amended to read:

8 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following
9 ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~
10 ~~months or both~~ is guilty of a Class H felony:

11 *~~4548/2.101~~* *~~3266/P1.71~~* **SECTION 308.** 134.205 (4) of the statutes is
12 amended to read:

13 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt
14 without entering the same in a register as required by this section ~~shall be fined not~~
15 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
16 guilty of a Class H felony.

17 *~~4548/2.102~~* *~~3266/P1.72~~* **SECTION 309.** 134.58 of the statutes is amended
18 to read:

19 **134.58 Use of unauthorized persons as officers.** Any person who,
20 individually, in concert with another or as agent or officer of any firm, joint-stock
21 company or corporation, uses, employs, aids or assists in employing any body of
22 armed persons to act as militia, police or peace officers for the protection of persons
23 or property or for the suppression of strikes, not being authorized by the laws of this
24 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~
25 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

1 promulgate rules prescribing a method for attaching or associating an electronic
2 signature and other required information with a signature or record under s. 137.19.
3 The department of electronic government and the secretary of state shall jointly
4 promulgate rules establishing requirements that a notary public must satisfy in
5 order to use an electronic signature for any attestation other than an attestation
6 under s. 137.19. All joint rules promulgated under this paragraph shall be numbered
7 as rules of each agency in the Wisconsin Administrative Code.

8 *4542/2.5* **SECTION 314.** 137.01 (4) (b) of the statutes is amended to read:

9 137.01 (4) (b) All Except as authorized par. (a) and in s. 137.19, all certificates
10 of acknowledgments of deeds and other conveyances, or any written instrument
11 required or authorized by law to be acknowledged or sworn to before any notary
12 public, within this state, shall be attested by a clear impression of the official seal or
13 imprint of the rubber stamp of said officer, and in addition thereto shall be written
14 or stamped either the day, month and year when the commission of said notary public
15 will expire, or that such commission is permanent.

16 *4542/2.7* **SECTION 315.** 137.04 of the statutes is repealed.

17 *4542/2.6* **SECTION 316.** Subchapter II (title) of chapter 137 [precedes 137.04]
18 of the statutes is amended to read:

19 **CHAPTER 137**

20 **SUBCHAPTER II**

21 **ELECTRONIC SIGNATURES**

22 **TRANSACTIONS AND RECORDS;**

23 **ELECTRONIC NOTARIZATION**

24 **AND ACKNOWLEDGEMENT**

1 *~~4542/2.8~~* **SECTION 317.** 137.05 (title) of the statutes is renumbered 137.25
2 (title) and amended to read:

3 **137.25** (title) **Submission of ~~written documents~~ records to**
4 **governmental units; interoperability.**

5 *~~4542/2.9~~* **SECTION 318.** 137.05 of the statutes is renumbered 137.25 (1) and
6 amended to read:

7 137.25 (1) Unless otherwise ~~prohibited provided~~ by law, with the consent of a
8 governmental unit of this state that is to receive a record, any document record that
9 is required by law to be submitted in writing to a ~~that~~ governmental unit and that
10 requires a written signature may be submitted ~~by transforming the document into~~
11 as an electronic format, but only with the consent of the governmental unit that is
12 to receive the document record, and if submitted as an electronic record may
13 incorporate an electronic signature.

14 *~~4542/2.10~~* **SECTION 319.** 137.06 of the statutes is repealed.

15 *~~4542/2.11~~* **SECTION 320.** 137.11 to 137.24 of the statutes are created to read:

16 **137.11 Definitions.** In this subchapter:

17 (1) “Agreement” means the bargain of the parties in fact, as found in their
18 language or inferred from other circumstances and from rules, regulations, and
19 procedures given the effect of agreements under laws otherwise applicable to a
20 particular transaction.

21 (2) “Automated transaction” means a transaction conducted or performed, in
22 whole or in part, by electronic means or by the use of electronic records, in which the
23 acts or records of one or both parties are not reviewed by an individual in the ordinary
24 course in forming a contract, performing under an existing contract, or fulfilling an
25 obligation required by the transaction.

1 (3) “Computer program” means a set of statements or instructions to be used
2 directly or indirectly in an information processing system in order to bring about a
3 certain result.

4 (4) “Contract” means the total legal obligation resulting from the parties’
5 agreement as affected by this subchapter and other applicable law.

6 (5) “Electronic” means relating to technology having electrical, digital,
7 magnetic, wireless, optical, electromagnetic, or similar capabilities.

8 (6) “Electronic agent” means a computer program or an electronic or other
9 automated means used independently to initiate an action or respond to electronic
10 records or performances in whole or in part, without review or action by an
11 individual.

12 (7) “Electronic record” means a record that is created, generated, sent,
13 communicated, received, or stored by electronic means.

14 (8) “Electronic signature” means an electronic sound, symbol, or process
15 attached to or logically associated with a record and executed or adopted by a person
16 with the intent to sign the record.

17 (9) “Governmental unit” means:

18 (a) An agency, department, board, commission, office, authority, institution, or
19 instrumentality of the federal government or of a state or of a political subdivision
20 of a state or special purpose district within a state, regardless of the branch or
21 branches of government in which it is located.

22 (b) A political subdivision of a state or special purpose district within a state.

23 (c) An association or society to which appropriations are made by law.

1 (d) Any body within one or more of the entities specified in pars. (a) to (c) that
2 is created or authorized to be created by the constitution, by law, or by action of one
3 or more of the entities specified in pars. (a) to (c).

4 (e) Any combination of any of the entities specified in pars. (a) to (d).

5 (10) “Information” means data, text, images, sounds, codes, computer
6 programs, software, databases, or the like.

7 (11) “Information processing system” means an electronic system for creating,
8 generating, sending, receiving, storing, displaying, or processing information.

9 (12) “Record” means information that is inscribed on a tangible medium or that
10 is stored in an electronic or other medium and is retrievable in perceivable form.

11 (13) “Security procedure” means a procedure employed for the purpose of
12 verifying that an electronic signature, record, or performance is that of a specific
13 person or for detecting changes or errors in the information in an electronic record.
14 The term includes a procedure that requires the use of algorithms or other codes,
15 identifying words or numbers, encryption, callback, or other acknowledgment
16 procedures.

17 (14) “State” means a state of the United States, the District of Columbia,
18 Puerto Rico, the U.S. Virgin Islands, or any territory or insular possession subject
19 to the jurisdiction of the United States. The term includes an Indian tribe or band,
20 or Alaskan native village, which is recognized by federal law or formally
21 acknowledged by a state.

22 (15) “Transaction” means an action or set of actions occurring between 2 or
23 more persons relating to the conduct of business, commercial, or governmental
24 affairs.

1 **137.115 Relation to federal law.** For the purpose of satisfying 15 USC 7002
2 (a) (2) (B) as that statute relates to this subchapter, this state acknowledges the
3 existence of the Electronic Signatures in Global and National Commerce Act, 15 USC
4 7001 to 7031.

5 **137.12 Application.** (1) Except as otherwise provided in subs. (2) and (2m)
6 and except in s. 137.25, this subchapter applies to electronic records and electronic
7 signatures relating to a transaction.

8 (2) Except as otherwise provided in sub. (3), this subchapter does not apply to
9 a transaction to the extent it is governed by:

10 (a) Any law governing the execution of wills or the creation of testamentary
11 trusts; or

12 (b) Chapters 401 and 403 to 410, other than ss. 401.107 and 401.206.

13 (2m) This subchapter does not apply to any of the following records or any
14 transaction evidenced by any of the following records:

15 (a) Deeds.

16 (b) Records governed by any law relating to adoption, divorce, or other matters
17 of family law.

18 (c) Notices provided by a court.

19 (d) Court orders or judgements.

20 (e) Official court documents, including, but not limited to, briefs, pleadings,
21 affidavits, memorandum decisions, and other writings, required to be executed in
22 connection with court proceedings.

23 (f) Records required by law to accompany any transportation or handling of
24 hazardous materials, pesticides, or other toxic or dangerous materials.

1 (g) Notices of cancelation or termination of utility services, including heat,
2 water, basic local telecommunications services, and power.

3 (h) Notices of default, acceleration, repossession, foreclosure, or eviction, or the
4 right to cure, under a credit agreement secured by, or a rental agreement for, a
5 primary residence of an individual.

6 (i) Notices of the cancellation or termination of health insurance or benefits or
7 life insurance benefits other than annuities.

8 (j) Notices of the recall of a product, or the material failure of a product, that
9 risks endangering health or safety.

10 (3) This subchapter applies to an electronic record or electronic signature
11 otherwise excluded from the application of this subchapter under sub. (2) to the
12 extent it is governed by a law other than those specified in sub. (2).

13 (4) A transaction subject to this subchapter is also subject to other applicable
14 substantive law.

15 (5) This subchapter applies to the state of Wisconsin, unless otherwise
16 expressly provided.

17 **137.13 Use of electronic records and electronic signatures; variation**
18 **by agreement.** (1) This subchapter does not require a record or signature to be
19 created, generated, sent, communicated, received, stored, or otherwise processed or
20 used by electronic means or in electronic form.

21 (2) This subchapter applies only to transactions between parties each of which
22 has agreed to conduct transactions by electronic means. Whether the parties agree
23 to conduct a transaction by electronic means is determined from the context and
24 surrounding circumstances, including the parties' conduct.

1 (3) A party that agrees to conduct a transaction by electronic means may refuse
2 to conduct other transactions by electronic means. The right granted by this
3 subsection may not be waived by agreement.

4 (4) Except as otherwise provided in this subchapter, the effect of any provision
5 of this subchapter may be varied by agreement. Use of the words “unless otherwise
6 agreed,” or words of similar import, in this subchapter shall not be interpreted to
7 preclude other provisions of this subchapter from being varied by agreement.

8 (5) Whether an electronic record or electronic signature has legal consequences
9 is determined by this subchapter and other applicable law.

10 **137.14 Construction.** This subchapter shall be construed and applied:

11 (1) To facilitate electronic transactions consistent with other applicable law;

12 (2) To be consistent with reasonable practices concerning electronic
13 transactions and with the continued expansion of those practices; and

14 (3) To effectuate its general purpose to make uniform the law with respect to
15 the subject of this subchapter among states enacting laws substantially similar to
16 the Uniform Electronic Transactions Act as approved and recommended by the
17 National Conference of Commissioners on Uniform State Laws in 1999.

18 **137.15 Legal recognition of electronic records, electronic signatures,**
19 **and electronic contracts.** (1) A record or signature may not be denied legal effect
20 or enforceability solely because it is in electronic form.

21 (2) A contract may not be denied legal effect or enforceability solely because an
22 electronic record was used in its formation.

23 (3) If a law requires a record to be in writing, an electronic record satisfies that
24 requirement in that law.

1 (4) If a law requires a signature, an electronic signature satisfies that
2 requirement in that law.

3 **137.16 Provision of information in writing; presentation of records.**

4 (1) If parties have agreed to conduct a transaction by electronic means and a law
5 requires a person to provide, send, or deliver information in writing to another
6 person, a party may satisfy the requirement with respect to that transaction if the
7 information is provided, sent, or delivered, as the case may be, in an electronic record
8 capable of retention by the recipient at the time of receipt. An electronic record is not
9 capable of retention by the recipient if the sender or its information processing
10 system inhibits the ability of the recipient to print or store the electronic record.

11 (2) If a law other than this subchapter requires a record to be posted or
12 displayed in a certain manner, to be sent, communicated, or transmitted by a
13 specified method, or to contain information that is formatted in a certain manner,
14 then:

15 (a) The record shall be posted or displayed in the manner specified in the other
16 law.

17 (b) Except as otherwise provided in sub. (4) (b), the record shall be sent,
18 communicated, or transmitted by the method specified in the other law.

19 (c) The record shall contain the information formatted in the manner specified
20 in the other law.

21 (3) If a sender inhibits the ability of a recipient to store or print an electronic
22 record, the electronic record is not enforceable against the recipient.

23 (4) The requirements of this section may not be varied by agreement, but:

24 (a) To the extent a law other than this subchapter requires information to be
25 provided, sent, or delivered in writing but permits that requirement to be varied by

1 agreement, the requirement under sub. (1) that the information be in the form of an
2 electronic record capable of retention may also be varied by agreement; and

3 (b) A requirement under a law other than this subchapter to send,
4 communicate, or transmit a record by 1st-class or regular mail or with postage
5 prepaid may be varied by agreement to the extent permitted by the other law.

6 **137.17 Attribution and effect of electronic records and electronic**
7 **signatures.** (1) An electronic record or electronic signature is attributable to a
8 person if the electronic record or electronic signature was created by the act of the
9 person. The act of the person may be shown in any manner, including a showing of
10 the efficacy of any security procedure applied to determine the person to which the
11 electronic record or electronic signature was attributable.

12 (2) The effect of an electronic record or electronic signature that is attributed
13 to a person under sub. (1) is determined from the context and surrounding
14 circumstances at the time of its creation, execution, or adoption, including the
15 parties' agreement, if any, and otherwise as provided by law.

16 **137.18 Effect of change or error.** (1) If a change or error in an electronic
17 record occurs in a transmission between parties to a transaction, then:

18 (a) If the parties have agreed to use a security procedure to detect changes or
19 errors and one party has conformed to the procedure, but the other party has not, and
20 the nonconforming party would have detected the change or error had that party also
21 conformed, the conforming party may avoid the effect of the changed or erroneous
22 electronic record.

23 (b) In an automated transaction involving an individual, the individual may
24 avoid the effect of an electronic record that resulted from an error made by the
25 individual in dealing with the electronic agent of another person if the electronic

1 agent did not provide an opportunity for the prevention or correction of the error and,
2 at the time the individual learns of the error, the individual:

3 1. Promptly notifies the other person of the error and that the individual did
4 not intend to be bound by the electronic record received by the other person;

5 2. Takes reasonable steps, including steps that conform to the other person's
6 reasonable instructions, to return to the other person or, if instructed by the other
7 person, to destroy the consideration received, if any, as a result of the erroneous
8 electronic record; and

9 3. Has not used or received any benefit or value from the consideration, if any,
10 received from the other person.

11 (2) If neither sub. (1) (a) nor (b) applies, the change or error has the effect
12 provided by other law, including the law of mistake, and the parties' contract, if any.

13 (3) Subsections (1) (b) and (2) may not be varied by agreement.

14 **137.19 Notarization and acknowledgement.** If a law requires a signature
15 or record to be notarized, acknowledged, verified, or made under oath, the
16 requirement is satisfied if, consistent with any applicable rules promulgated under
17 s. 137.01 (4) (a), the electronic signature of the person authorized to administer the
18 oath or to make the notarization, acknowledgment, or verification, together with all
19 other information required to be included by other applicable law, is attached to or
20 logically associated with the signature or record.

21 **137.20 Retention of electronic records; originals.** (1) Except as provided
22 in sub. (6), if a law requires that a record be retained, the requirement is satisfied
23 by retaining the information set forth in the record as an electronic record which:

24 (a) Accurately reflects the information set forth in the record after it was first
25 generated in its final form as an electronic record or otherwise; and

1 (b) Remains accessible for later reference.

2 (2) A requirement to retain a record in accordance with sub. (1) does not apply
3 to any information the sole purpose of which is to enable the record to be sent,
4 communicated, or received.

5 (3) A person may comply with sub. (1) by using the services of another person
6 if the requirements of that subsection are satisfied.

7 (4) Except as provided in sub. (6), if a law requires a record to be presented or
8 retained in its original form, or provides consequences if the record is not presented
9 or retained in its original form, a person may comply with that law by using an
10 electronic record that is retained in accordance with sub. (1).

11 (5) Except as provided in sub. (6), if a law requires retention of a check, that
12 requirement is satisfied by retention of an electronic record containing the
13 information on the front and back of the check in accordance with sub. (1).

14 (6) (a) Except as provided in par. (b), a record retained as an electronic record
15 in accordance with sub. (1) satisfies a law requiring a person to retain a record for
16 evidentiary, audit, or like purposes, unless a law enacted after the effective date of
17 this paragraph [revisor inserts date], specifically prohibits the use of an electronic
18 record for the specified purpose.

19 (b) A governmental unit that has custody of a record is also further subject to
20 the retention requirements for public records of state agencies and the records of the
21 University of Wisconsin Hospitals and Clinics Authority established under ss. 16.61
22 and 16.611 and the retention requirements for documents of local governmental
23 units established under s. 16.612.

24 (7) The public records board may promulgate rules prescribing standards
25 consistent with this subchapter for retention of records by state agencies, the

1 University of Wisconsin Hospitals and Clinics Authority and local governmental
2 units.

3 (8) This section does not preclude the public records board, the department of
4 electronic government, or any other governmental unit of this state from specifying
5 additional requirements for the retention of any record of another governmental unit
6 subject to its jurisdiction.

7 **137.21 Admissibility in evidence.** In a proceeding, a record or signature
8 may not be excluded as evidence solely because it is in electronic form.

9 **137.22 Automated transactions.** In an automated transaction:

10 (1) A contract may be formed by the interaction of electronic agents of the
11 parties, even if no individual was aware of or reviewed the electronic agent's actions
12 or the resulting terms and agreements.

13 (2) A contract may be formed by the interaction of an electronic agent and an
14 individual, acting on the individual's own behalf or for another person, including by
15 an interaction in which the individual performs actions that the individual is free to
16 refuse to perform and which the individual knows or has reason to know will cause
17 the electronic agent to complete the transaction or performance.

18 (3) The terms of a contract under sub. (1) or (2) are governed by the substantive
19 law applicable to the contract.

20 **137.23 Time and place of sending and receipt.** (1) Unless otherwise
21 agreed between the sender and the recipient, an electronic record is sent when it:

22 (a) Is addressed properly or otherwise directed properly to an information
23 processing system that the recipient has designated or uses for the purpose of
24 receiving electronic records or information of the type sent and from which the
25 recipient is able to retrieve the electronic record;

1 (b) Is in a form capable of being processed by that system; and

2 (c) Enters an information processing system outside the control of the sender
3 or of a person that sent the electronic record on behalf of the sender or enters a region
4 of the information processing system designated or used by the recipient which is
5 under the control of the recipient.

6 (2) Unless otherwise agreed between a sender and the recipient, an electronic
7 record is received when:

8 (a) It enters an information processing system that the recipient has
9 designated or uses for the purpose of receiving electronic records or information of
10 the type sent and from which the recipient is able to retrieve the electronic record;
11 and

12 (b) It is in a form capable of being processed by that system.

13 (3) Subsection (2) applies even if the place where the information processing
14 system is located is different from the place where the electronic record is deemed
15 to be received under sub. (4).

16 (4) Unless otherwise expressly provided in the electronic record or agreed
17 between the sender and the recipient, an electronic record is deemed to be sent from
18 the sender's place of business and to be received at the recipient's place of business.

19 For purposes of this subsection:

20 (a) If the sender or recipient has more than one place of business, the place of
21 business of that person is the place having the closest relationship to the underlying
22 transaction.

23 (b) If the sender or the recipient does not have a place of business, the place of
24 business is the sender's or recipient's residence, as the case may be.

1 (5) An electronic record is received under sub. (2) even if no individual is aware
2 of its receipt.

3 (6) Receipt of an electronic acknowledgment from an information processing
4 system described in sub. (2) establishes that a record was received but, by itself, does
5 not establish that the content sent corresponds to the content received.

6 (7) If a person is aware that an electronic record purportedly sent under sub.
7 (1), or purportedly received under sub. (2), was not actually sent or received, the legal
8 effect of the sending or receipt is determined by other applicable law. Except to the
9 extent permitted by the other law, the requirements of this subsection may not be
10 varied by agreement.

11 **137.24 Transferable records.** (1) In this section, “transferable record”
12 means an electronic record that would be a note under ch. 403 or a document under
13 ch. 407 if the electronic record were in writing.

14 (1m) An electronic record qualifies as a transferable record under this section
15 only if the issuer of the electronic record expressly has agreed that the electronic
16 record is a transferable record.

17 (2) A person has control of a transferable record if a system employed for
18 evidencing the transfer of interests in the transferable record reliably establishes
19 that person as the person to which the transferable record was issued or transferred.

20 (3) A system satisfies the requirements of sub. (2), and a person is deemed to
21 have control of a transferable record, if the transferable record is created, stored, and
22 assigned in such a manner that:

23 (a) A single authoritative copy of the transferable record exists which is unique,
24 identifiable, and, except as otherwise provided in pars. (d) to (f), unalterable;

1 (b) The authoritative copy identifies the person asserting control as the person
2 to which the transferable record was issued or, if the authoritative copy indicates
3 that the transferable record has been transferred, the person to which the
4 transferable record was most recently transferred;

5 (c) The authoritative copy is communicated to and maintained by the person
6 asserting control or its designated custodian;

7 (d) Copies or revisions that add or change an identified assignee of the
8 authoritative copy can be made only with the consent of the person asserting control;

9 (e) Each copy of the authoritative copy and any copy of a copy is readily
10 identifiable as a copy that is not the authoritative copy; and

11 (f) Any revision of the authoritative copy is readily identifiable as authorized
12 or unauthorized.

13 (4) Except as otherwise agreed, a person having control of a transferable record
14 is the holder, as defined in s. 401.201 (20), of the transferable record and has the same
15 rights and defenses as a holder of an equivalent record or writing under chs. 401 to
16 411, including, if the applicable statutory requirements under s. 403.302 (1),
17 407.501, or 409.308 are satisfied, the rights and defenses of a holder in due course,
18 a holder to which a negotiable record of title has been duly negotiated, or a purchaser,
19 respectively. Delivery, possession, and endorsement are not required to obtain or
20 exercise any of the rights under this subsection.

21 (5) Except as otherwise agreed, an obligor under a transferable record has the
22 same rights and defenses as an equivalent obligor under equivalent records or
23 writings under chs. 401 to 411.

24 (6) If requested by a person against which enforcement is sought, the person
25 seeking to enforce the transferable record shall provide reasonable proof that the

1 person is in control of the transferable record. Proof may include access to the
2 authoritative copy of the transferable record and related business records sufficient
3 to review the terms of the transferable record and to establish the identity of the
4 person having control of the transferable record.

5 ***-4542/2.12* SECTION 321.** 137.25 (2) of the statutes is created to read:

6 137.25 (2) The department of electronic government shall promulgate rules
7 concerning the use of electronic records and electronic signatures by governmental
8 units, which shall govern the use of electronic records or signatures by governmental
9 units, unless otherwise provided by law. The rules shall include standards regarding
10 the receipt of electronic records or electronic signatures that promote consistency
11 and interoperability with other standards adopted by other governmental units of
12 this state and other states and the federal government and nongovernmental
13 persons interacting with governmental units of this state. The standards may
14 include alternative provisions if warranted to meet particular applications.

15 ***-4548/2.103* *-3266/P1.73* SECTION 322.** 139.44 (1) of the statutes is
16 amended to read:

17 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
18 any stamp or procures or causes the same to be done, or who knowingly utters,
19 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
20 affixes the same to any package or container of cigarettes, or who possesses with the
21 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
22 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~
23 ~~years~~ is guilty of a Class G felony.

24 ***-4548/2.104* *-3266/P1.74* SECTION 323.** 139.44 (1m) of the statutes is
25 amended to read:

1 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
2 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
3 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

4 *~~4548/2.105~~* *~~3266/P1.75~~* **SECTION 324.** 139.44 (2) of the statutes is
5 amended to read:

6 139.44 (2) Any person who makes or signs any false or fraudulent report or who
7 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
8 evasion or attempted evasion of that tax ~~shall may~~ be fined not ~~less than \$1,000 nor~~
9 ~~more than \$5,000~~ \$10,000 or imprisoned ~~for not less than 90 days nor~~ more than ~~2~~
10 years 9 months or both.

11 *~~4548/2.106~~* *~~3266/P1.76~~* **SECTION 325.** 139.44 (8) (c) of the statutes is
12 amended to read:

13 139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~
14 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
15 Class I felony.

16 *~~4548/2.107~~* **SECTION 326.** 139.85 (1) of the statutes is amended to read:

17 139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)
18 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~shall may~~
19 be fined not ~~less than \$1,000 nor~~ more than ~~\$5,000~~ \$10,000 or imprisoned for not ~~less~~
20 ~~than 90 days nor~~ more than one year 9 months or both.

21 *~~4548/2.108~~* **SECTION 327.** 139.95 (2) of the statutes is amended to read:

22 139.95 (2) A dealer who possesses a schedule I controlled substance, a schedule
23 II controlled substance or ketamine or flunitrazepam that does not bear evidence
24 that the tax under s. 139.88 has been paid ~~may be fined not more than \$10,000 or~~