

**2011 DRAFTING REQUEST**

**Assembly Amendment (AA-SB321)**

Received: 02/15/2012

Received By: mshovers

Wanted: As time permits

Companion to LRB:

For: Patricia Strachota (608) 264-8486

By/Representing: Heather

May Contact:

Drafter: mshovers

Subject: Tax, Individual - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Strachota@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Limiting the number of individual income tax checkoffs; references to the Special Olympics checkoff

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**Instructions:**

See attached. Add refs. to Special Olympics checkoff, s. 71.10 (5km)

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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1/1 MES 2/15/12

FE Sent For:

<END>

**Shovers, Marc**

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**From:** Moore, Heather  
**Sent:** Wednesday, February 15, 2012 3:49 PM  
**To:** Shovers, Marc  
**Subject:** RE: Income Tax Check-Off Bill Amendment Needed

Hi Marc,

Well it looks like the Senate passed the bill but not with the amendment. So now it has been messaged to the Assembly to be taken up. I am wondering if I can get the same amendment drafted as an Assembly Amendment to SB321 please.

Thanks,

*Heather Moore*

Office of Pat Strachota  
Office (608) 264-8486  
Toll-Free (888) 534-0058

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**From:** Shovers, Marc  
**Sent:** Friday, February 10, 2012 3:28 PM  
**To:** Moore, Heather  
**Subject:** RE: Income Tax Check-Off Bill Amendment Needed

Thanks, Heather. As I look through the bills, it seems to me that s. 71.10 (5s) (c) should be amended by adding a cross-reference to s. 71.10 (5) (km) (h). I'll add that in too, but you may wish to check with DOR.

Here's the relevant portion of the bill and the sub.:

(c) Beginning in September 2014, based on the amounts certified by the secretary of revenue in August or September 2013, and 2014, as specified in subs. (5) (h), (5e) (h), (5f) (h), (5g) (h), (5h) (h), (5i) (h), (5j) (h), (5k) (h), and (5m) (h), and for every 2-year period thereafter, the secretary of revenue shall rank the checkoffs based on the total amount of designations received for each checkoff for each 2-year period. For each 2-year period, beginning with 2014, the secretary of revenue shall rank every checkoff that is created under this section.

Thanks, Heather.

Marc

2/15/2012

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**From:** Moore, Heather  
**Sent:** Friday, February 10, 2012 3:21 PM  
**To:** Shovers, Marc  
**Subject:** RE: Income Tax Check-Off Bill Amendment Needed

Yes please.

*Heather Moore*  
Office of Pat Strachota  
Office (608) 264-8486  
Toll-Free (888) 534-0058

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**From:** Shovers, Marc  
**Sent:** Friday, February 10, 2012 3:20 PM  
**To:** Moore, Heather  
**Subject:** RE: Income Tax Check-Off Bill Amendment Needed

Hi Heather.

I assume you want to amend the assembly sub, and not the bill, but I just want to check to make sure. So would you like identical amendments for SB 321 and ASA 1 to AB 242?  
Thanks.

Marc

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**From:** Moore, Heather  
**Sent:** Friday, February 10, 2012 1:44 PM  
**To:** Shovers, Marc  
**Subject:** FW: Income Tax Check-Off Bill Amendment Needed

Hi Mark,

Can I please get this amendment drafted? (see below)

Thanks,

*Heather Moore*  
Office of Pat Strachota  
Office (608) 264-8486  
Toll-Free (888) 534-0058

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**From:** Wagner, Michael W - DOR [mailto:MichaelW.Wagner@revenue.wi.gov]  
**Sent:** Friday, February 10, 2012 1:16 PM  
**To:** Julian, Jamie; Moore, Heather  
**Subject:** Income Tax Check-Off Bill Amendment Needed

Jamie and Heather,

2/15/2012

The Legislature passed the Special Olympics bill prior to Assembly Bill 242 / Senate Bill 321 becoming law.

What that means is that as your legislation is currently drafted, the Special Olympics checkoff would not be covered under the limitations that your bill covers (e.g. being put on the list and being subject to falling off the tax form if it is in the bottom 2).

We had to wait until the Reviser of Statutes updated the law to know where the Special Olympics checkoff would go, and the Reviser has now done so.

To make sure that Assembly Bill 242 / Senate Bill 321 covers all checkoffs, you need to add the language below:

**71.10 (5km) (b) 1. 'Designation on return.' Every Subject to sub. (5s), every individual filing an income tax return who has a tax liability or is entitled to a tax refund may designate on the return any amount of additional payment or any amount of a refund due that individual for the Special Olympics.**

The above language is parallel to the language for every other checkoff (see Sections 15-21 of the bill / substitute amendment).

Please let me know if you have any questions.

Regards,

Mike Wagner  
Legislative Advisor, Dept. of Revenue  
608-266-7817

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State of Wisconsin  
2011 - 2012 LEGISLATURE

a 2349/1  
LRB 2301/L  
M&S:cjs:ph  
f m NR  
stays

Assembly  
~~SENATE~~ AMENDMENT,  
TO 2011 SENATE BILL 321

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WANTED:  
Thurs, a.m.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 7, line 13: after that line insert:
- 3 “SECTION 20m. 71.10 (5km) (b) 1. of the statutes, as created by 2011 Wisconsin
- 4 Act 76, is amended to read:
- 5 71.10 (**5km**) (b) 1. ‘Designation on return.’ Every Subject to sub. (5s), every
- 6 individual filing an income tax return who has a tax liability or is entitled to a tax
- 7 refund may designate on the return any amount of additional payment or any
- 8 amount of a refund due that individual for the Special Olympics.”
- 9 **2.** Page 8, line 11: after “(5k) (h),” insert “(5km) (h),”.
- 10 (END)