101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, ~~and~~ P.L. 111–325, and section 902 of P.L. 112–240, applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L.

111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the Internal Revenue Code enacted after December 31, 2010, do not apply to this subdivision with respect to taxable years that begin after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240, apply for Wisconsin purposes at the same time as for federal purposes.

***–0063/4.36*SECTION 1393.** 71.28 (1dj) (am) 4h. of the statutes is amended to read:

71.28 **(1dj)** (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal Revenue Code so that the amount of the credit is 25% of the qualified first–year wages if the wages are paid to an applicant for a Wisconsin ~~works~~ Works employment position for service either in an unsubsidized position or in a trial job under s. 49.147 (3), 2011 stats., and so that the amount of the credit is 20% of the qualified first–year wages if the wages are not paid to such an applicant.

***–0367/1.2*SECTION 1394.** 71.28 (1dx) (a) 4. of the statutes is amended to read:

71.28 **(1dx)** (a) 4. "Full–time job" ~~means a regular, nonseasonal full–time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150% of the federal minimum wage and receives benefits that are not required by federal or state law. "Full–time job" does not include initial training before an employment position begins~~ has the meaning given in s. 238.30 (2m).

***–0063/4.37*SECTION 1395.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

71.28 **(1dx)** (a) 5. "Member of a targeted group" means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex–convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

***–0063/4.38*SECTION 1396.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

71.28 **(1dx)** (b) 2. The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full–time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.39*SECTION 1397.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

71.28 **(1dx)** (b) 3. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number

of full–time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.40*SECTION 1398.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

71.28 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.41*SECTION 1399.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

71.28 **(1dx)** (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0297/1.6*SECTION 1400.** 71.28 (3w) (b) 1. a. of the statutes is amended to read:

71.28 **(3w)** (b) 1. a. The number of full–time employees whose annual wages are greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full–time employees whose annual wages were greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

***–0297/1.7*SECTION 1401.** 71.28 (3w) (b) 1. b. of the statutes is amended to read:

71.28 **(3w)** (b) 1. b. The number of full–time employees whose annual wages are greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full–time employees whose annual wages were greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

***–0297/1.8*SECTION 1402.** 71.28 (3w) (b) 2. of the statutes is amended to read:

71.28 **(3w)** (b) 2. Determine the claimant's average zone payroll by dividing total wages for full–time employees whose annual wages are greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or

municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full–time employees whose annual wages are greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year.

***–0297/1.9*SECTION 1403.** 71.28 (3w) (b) 3. of the statutes is amended to read:

71.28 **(3w)** (b) 3. For employees in a tier I county or municipality, subtract ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage from the amount determined under subd. 2. and for employees in a tier II county or municipality, subtract $30,000 from the amount determined under subd. 2.

***–0297/1.10*SECTION 1404.** 71.28 (3w) (bm) 2. of the statutes is amended to read:

71.28 **(3w)** (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full–time employees whose annual wages are greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than $30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone

in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

***–0810/P2.2*SECTION 1405.** 71.28 (5i) (b) of the statutes is amended to read:

71.28 **(5i)** (b) *Filing claims.* Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2011, <u>and before January 1, 2014,</u> a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of those taxes, an amount equal to 50 percent of the amount the claimant paid in the taxable year for information technology hardware or software that is used to maintain medical records in electronic form, if the claimant is a health care provider, as defined in s. 146.81 (1) (a) to (p).

***–0469/1.51*SECTION 1406.** 71.28 (5r) (a) 2. of the statutes is amended to read:

71.28 **(5r)** (a) 2. "Course of instruction" has the meaning given in s. ~~38.50~~ <u>440.55</u> (1) (c).

***–0469/1.52*SECTION 1407.** 71.28 (5r) (a) 6. b. of the statutes is amended to read:

71.28 **(5r)** (a) 6. b. A school approved under s. ~~38.50~~ <u>440.55</u>, if the delivery of education occurs in this state.

***–0506/P5.41*SECTION 1408.** 71.34 (1g) (i) of the statutes is created to read:

71.34 **(1g)** (i) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 2012, means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L.

107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, excluding sections 803 (d)

1 (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203,
2 P.L. 100–647, excluding section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.
3 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
4 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
5 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
6 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
7 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
8 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
9 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
10 P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.
11 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections
12 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.
13 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.
14 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.
15 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
16 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
17 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.
18 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
19 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.
20 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding
21 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
22 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,
23 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,
24 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,
25 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,

excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241,

40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112–240, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240, apply for Wisconsin purposes at the same time as for federal purposes.

***–0506/P5.42*SECTION 1409.** 71.34 (1g) (o) of the statutes is repealed.

***–0506/P5.43*SECTION 1410.** 71.34 (1g) (p) of the statutes is renumbered 71.34 (1g) (a).

***–0506/P5.44*SECTION 1411.** 71.34 (1g) (q) of the statutes is renumbered 71.34 (1g) (b).

***–0506/P5.45*SECTION 1412.** 71.34 (1g) (r) of the statutes is renumbered 71.34 (1g) (c).

***–0506/P5.46*SECTION 1413.** 71.34 (1g) (s) of the statutes is renumbered 71.34 (1g) (d).

***–0506/P5.47*SECTION 1414.** 71.34 (1g) (t) of the statutes is renumbered 71.34 (1g) (e).

***–0506/P5.48*SECTION 1415.** 71.34 (1g) (u) of the statutes is renumbered 71.34 (1g) (f).

***–0506/P5.49*SECTION 1416.** 71.34 (1g) (um) of the statutes is renumbered 71.34 (1g) (g).

***–0506/P5.50*SECTION 1417.** 71.34 (1g) (un) of the statutes is renumbered 71.34 (1g) (h) and amended to read:

71.34 **(1g)** (h) "Internal Revenue Code" for tax–option corporations, for taxable years that begin after December 31, 2010, <u>and before January 1, 2013,</u> means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L.

111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amended by section 902 of P.L. 112-240, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, ~~P.L. 100-203, P.L. 100-647,~~ excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 ~~and~~, P.L. 100-203, P.L. 100-647, excluding section 1008 (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. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 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. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it

relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, ~~and~~ P.L. 111–325, and section 902 of P.L. 112–240, except that section 1366 (f) (relating to pass–through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L.

110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240, apply for Wisconsin purposes at the same time as for federal purposes.

***–0506/P5.51*SECTION 1418.** 71.42 (2) (i) of the statutes is created to read:

71.42 **(2)** (i) For taxable years that begin after December 31, 2012, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L.

109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 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. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573,

P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.

111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, except that changes to the Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply for taxable years beginning before January 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112–240, and changes that indirectly affect the provisions applicable to this subchapter made by sections 101 and 902 of P.L. 112–240, apply for Wisconsin purposes at the same time as for federal purposes.

***–0506/P5.52*SECTION 1419.** 71.42 (2) (n) of the statutes is repealed.

1 ***–0506/P5.53*SECTION 1420.** 71.42 (2) (o) of the statutes is renumbered 71.42
2 (2) (a).
3 ***–0506/P5.54*SECTION 1421.** 71.42 (2) (p) of the statutes is renumbered 71.42
4 (2) (b).
5 ***–0506/P5.55*SECTION 1422.** 71.42 (2) (q) of the statutes is renumbered 71.42
6 (2) (c).
7 ***–0506/P5.56*SECTION 1423.** 71.42 (2) (r) of the statutes is renumbered 71.42
8 (2) (d).
9 ***–0506/P5.57*SECTION 1424.** 71.42 (2) (s) of the statutes is renumbered 71.42
10 (2) (e).
11 ***–0506/P5.58*SECTION 1425.** 71.42 (2) (t) of the statutes is renumbered 71.42
12 (2) (f).
13 ***–0506/P5.59*SECTION 1426.** 71.42 (2) (tm) of the statutes is renumbered
14 71.42 (2) (g).
15 ***–0506/P5.60*SECTION 1427.** 71.42 (2) (tn) of the statutes is renumbered 71.42
16 (2) (h) and amended to read:
17 71.42 **(2)** (h) For taxable years that begin after December 31, 2010, <u>and before</u>
18 <u>January 1, 2013,</u> "Internal Revenue Code" means the federal Internal Revenue Code
19 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
20 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
21 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,
22 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section
23 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and
24 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403
25 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and

910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, <u>and as amended by section 902 of P.L. 112–240,</u> and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 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. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.

104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.

111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, ~~and~~ P.L. 111–325, and section 902 of P.L. 112–240, except that "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013, except that changes to the Internal Revenue Code made by section 902 of P.L. 112–240, and changes that indirectly affect the provisions applicable to this subchapter made by section 902 of P.L. 112–240, apply for Wisconsin purposes at the same time as for federal purposes.

***–0279/2.3*SECTION 1428.** 71.45 (1t) (L) of the statutes is created to read:

71.45 **(1t)** (L) Those issued under s. 231.03 (6), if the bonds or notes are issued for the benefit of a person who is eligible to receive the proceeds of bonds or notes from another entity for the same purpose for which the bonds or notes are issued under s. 231.03 (6) and the interest income received from the other bonds or notes is exempt from taxation under this subchapter.

***–0063/4.42*SECTION 1429.** 71.47 (1dj) (am) 4h. of the statutes is amended to read:

71.47 **(1dj)** (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal Revenue Code so that the amount of the credit is 25% of the qualified first–year wages if the wages are paid to an applicant for a Wisconsin ~~works~~ Works employment position for service either in an unsubsidized position or in a trial job under s. 49.147 (3), 2011 stats., and so that the amount of the credit is 20% of the qualified first–year wages if the wages are not paid to such an applicant.

***–0367/1.3*SECTION 1430.** 71.47 (1dx) (a) 4. of the statutes is amended to read:

71.47 **(1dx)** (a) 4. "Full–time job" ~~means a regular, nonseasonal full–time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150% of the federal minimum wage and receives benefits that are not required by federal or state law. "Full–time job" does not include initial training before an employment position begins~~ has the meaning given in s. 238.30 (2m).

***–0063/4.43*SECTION 1431.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

71.47 **(1dx)** (a) 5. "Member of a targeted group" means a person who resides in an area designated by the federal government as an economic revitalization area,

a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex–convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

***–0063/4.44*SECTION 1432.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

71.47 **(1dx)** (b) 2. The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full–time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.45*SECTION 1433.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

71.47 **(1dx)** (b) 3. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs created in a development zone and not filled by a member of a

targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.46*SECTION 1434.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.47*SECTION 1435.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

71.47 **(1dx)** (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0297/1.11*SECTION 1436.** 71.47 (3w) (b) 1. a. of the statutes is amended to read:

71.47 **(3w)** (b) 1. a. The number of full–time employees whose annual wages are greater than ~~$20,000~~ <u>the amount determined by multiplying 2,080 by 150</u>

percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full–time employees whose annual wages were greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

***–0297/1.12*SECTION 1437.** 71.47 (3w) (b) 1. b. of the statutes is amended to read:

71.47 **(3w)** (b) 1. b. The number of full–time employees whose annual wages are greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full–time employees whose annual wages were greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

***–0297/1.13*SECTION 1438.** 71.47 (3w) (b) 2. of the statutes is amended to read:

71.47 **(3w)** (b) 2. Determine the claimant's average zone payroll by dividing total wages for full–time employees whose annual wages are greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full–time employees whose annual wages are greater than

1 ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal
2 minimum wage in a tier I county or municipality or greater than $30,000 in a tier II
3 county or municipality and who the claimant employed in the enterprise zone in the
4 taxable year.

5 ***–0297/1.14*SECTION 1439.** 71.47 (3w) (b) 3. of the statutes is amended to read:

6 71.47 **(3w)** (b) 3. For employees in a tier I county or municipality, subtract
7 ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent of the federal
8 minimum wage from the amount determined under subd. 2. and for employees in a
9 tier II county or municipality, subtract $30,000 from the amount determined under
10 subd. 2.

11 ***–0297/1.15*SECTION 1440.** 71.47 (3w) (bm) 2. of the statutes is amended to
12 read:

13 71.47 **(3w)** (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
14 4., and subject to the limitations provided in this subsection and s. 238.399 or s.
15 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under
16 s. 71.43 an amount equal to the percentage, as determined under s. 238.399 or s.
17 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in
18 the taxable year to all of the claimant's full–time employees whose annual wages are
19 greater than ~~$20,000~~ the amount determined by multiplying 2,080 by 150 percent
20 of the federal minimum wage in a tier I county or municipality, not including the
21 wages paid to the employees determined under par. (b) 1., or greater than $30,000
22 in a tier II county or municipality, not including the wages paid to the employees
23 determined under par. (b) 1., and who the claimant employed in the enterprise zone
24 in the taxable year, if the total number of such employees is equal to or greater than

the total number of such employees in the base year. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

***–0810/P2.3*SECTION 1441.** 71.47 (5i) (b) of the statutes is amended to read:

71.47 **(5i)** (b) *Filing claims.* Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2011, <u>and before January 1, 2014,</u> a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of those taxes, an amount equal to 50 percent of the amount the claimant paid in the taxable year for information technology hardware or software that is used to maintain medical records in electronic form, if the claimant is a health care provider, as defined in s. 146.81 (1) (a) to (p).

***–0469/1.53*SECTION 1442.** 71.47 (5r) (a) 2. of the statutes is amended to read:

71.47 **(5r)** (a) 2. "Course of instruction" has the meaning given in s. ~~38.50~~ <u>440.55</u> (1) (c).

***–0469/1.54*SECTION 1443.** 71.47 (5r) (a) 6. b. of the statutes is amended to read:

71.47 **(5r)** (a) 6. b. A school approved under s. ~~38.50~~ <u>440.55</u>, if the delivery of education occurs in this state.

***–1511/P1.1*SECTION 1444.** 71.613 (3) (f) of the statutes is renumbered 71.613 (3) (f) (intro.) and amended to read:

71.613 **(3)** (f) (intro.) The maximum amount of the credits that may be claimed under this section ~~in any fiscal year is $27,007,200~~ <u>is an amount specified under this paragraph</u>. If the total amount of eligible claims exceed this amount, the excess claims shall be paid in the next succeeding fiscal year to ensure that the limit specified in this paragraph is not exceeded. <u>The maximum amount of the credits that may be claimed under this section in any fiscal year is one of the following:</u>

***–1511/P1.2*SECTION 1445.** 71.613 (3) (f) 1. of the statutes is created to read:

71.613 **(3)** (f) 1. For a fiscal year before the 2013–14 fiscal year, $27,007,200.

***–1511/P1.3*SECTION 1446.** 71.613 (3) (f) 2. of the statutes is created to read:

71.613 **(3)** (f) 2. For the 2013–14 fiscal year, and for every succeeding fiscal year, $25,304,300.

***–0747/P5.15*SECTION 1447.** 71.64 (9) (b) (intro.) of the statutes is amended to read:

71.64 **(9)** (b) (intro.) The department shall from time to time adjust the withholding tables to reflect any changes in income tax rates, any applicable surtax or any changes in dollar amounts in s. 71.06 (1), (1m), (1n), (1p), (1q), and (2) resulting from statutory changes, except as follows:

***–0747/P5.16*SECTION 1448.** 71.67 (5) (a) of the statutes is amended to read:

71.67 **(5)** (a) *Wager winnings.* A person holding a license to sponsor and manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any payment of pari–mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount determined by multiplying the amount of the payment by the highest rate applicable to individuals under s. 71.06 (1) (a) to (c), (1m), (1n) ~~or~~, (1p), or (1q) if the amount of the payment is more than $1,000.

***–0747/P5.17*SECTION 1449.** 71.67 (5m) of the statutes is amended to read:

71.67 **(5m)** WITHHOLDING FROM PAYMENTS TO PURCHASE ASSIGNMENT OF LOTTERY PRIZE. A person that purchases an assignment of a lottery prize shall withhold from the amount of any payment made to purchase the assignment the amount that is determined by multiplying the amount of the payment by the highest rate applicable to individuals under s. 71.06 (1) (a) to (c), (1m), (1n) ~~or~~, (1p), or (1q). Subsection (5)

(b), (c) and (d), as it applies to the amounts withheld under sub. (5) (a), applies to the amount withheld under this subsection.

***–0302/P1.1*SECTION 1450.** 71.83 (1) (a) 11. of the statutes is created to read:

71.83 **(1)** (a) 11. 'Negligently filed claims.' A person who negligently files an incorrect claim for refund of tax, or credits, under this chapter is subject to a penalty of 25 percent of the difference between the amount claimed and the amount that should have been claimed.

***–0302/P1.2*SECTION 1451.** 71.83 (1) (b) 7. of the statutes is created to read:

71.83 **(1)** (b) 7. 'Fraudulently filed claims.' A person who fraudulently files an incorrect claim for refund of tax, or credits, under this chapter is subject to a penalty of 100 percent of the difference between the amount claimed and the amount that should have been claimed.

***–0302/P1.3*SECTION 1452.** 71.83 (2) (b) 1. of the statutes is amended to read:

71.83 **(2)** (b) 1. 'False income tax return; fraud.' Any person, other than a corporation or limited liability company, who renders a false or fraudulent income tax return with intent to defeat or evade any assessment required by this chapter, <u>or to obtain a refund or credit with fraudulent intent,</u> is guilty of a Class H felony and may be assessed the cost of prosecution. In this subdivision, "return" includes a separate return filed by a spouse with respect to a taxable year for which a joint return is filed under s. 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by the spouses with respect to a taxable year for which a separate return is filed under s. 71.03 (2) (m) after the filing of that joint return.

***–0305/P1.1*SECTION 1453.** 71.83 (5) of the statutes is created to read:

71.83 **(5)** INELIGIBILITY TO CLAIM CERTAIN CREDITS. (a) *Definitions*. In this subsection:

1 1. "Credit" means the earned income tax credit under s. 71.07 (9e) or the
2 homestead credit under subch. VIII.

3 2. "Fraudulent claim" means a claim for a credit, filed by an individual, that
4 is false or excessive and filed with fraudulent intent, as determined by the
5 department.

6 3. "Reckless claim" means a claim for a credit, filed by an individual, that is
7 improper, due to reckless or intentional disregard of the provisions in this chapter
8 or of rules and regulations of the department, as determined by the department.

****NOTE: Your instructions do not contain any definitions for "fraudulent" or "reckless," and the description of these terms in the instructions seems vague and subject to a great deal of interpretation by DOR. I'm not sure what the legal standard is for "fraudulent" or "reckless" claims under this paragraph, or on what basis DOR could determine that a claim was "fraudulent" or "reckless." I based the definition of "fraudulent claim" on the description of "fraudulent claim for credit" under s. 71.83 (2) (b) 4., although the use of the term in that subdivision seems to be predicated on a judicial finding. I could not find a definition of "reckless" in the statutes.

Your instructions seem to indicate that DOR may determine what's fraudulent or reckless, without any particular standards that a taxpayer could look to in an attempt to determine whether his or her actions would violate this provision. Do these definitions meet your intent, or would you like to provide more precise definitions?

NES

9 (b) *Disallowance period.* 1. An individual who files a fraudulent claim may not
10 file a claim for a credit for 10 successive taxable years, beginning with the taxable
11 year that begins immediately after the taxable year for which the department
12 determined that the individual filed a fraudulent claim.

13 2. An individual who files a reckless claim may not file a claim for a credit for
14 2 successive taxable years, beginning with the taxable year that begins immediately
15 after the taxable year for which the department determined that the individual filed
16 a reckless claim.

17 (c) *Reinstatement.* After the period described under par. (b) during which an
18 individual may not file a claim for a credit, he or she may file a claim for a credit,

subject to any requirements that the department may impose on the individual to demonstrate that he or she is eligible to claim the credit.

****NOTE: I believe that par. (c) is drafted according to your instructions, but it seems a little vague.

***–0473/P2.1*SECTION 1454.** 71.91 (6) (a) 1. of the statutes is renumbered 71.91 (6) (a) 1g.

***–0473/P2.2*SECTION 1455.** 71.91 (6) (a) 1d. of the statutes is created to read:

71.91 **(6)** (a) 1d. "Continuous levy" means a levy that is in effect from the date on which it is served on a 3rd party until the liability out of which the levy arose is satisfied or until the levy is released, whichever occurs first.

***–0473/P2.3*SECTION 1456.** 71.91 (6) (a) 2n. of the statutes is created to read:

71.91 **(6)** (a) 2n. "Noncontinuous levy" means a levy that is in effect on the date on which it is served on a 3rd party.

***–0473/P2.4*SECTION 1457.** 71.91 (6) (b) of the statutes is amended to read:

71.91 **(6)** (b) *Powers of levy and distraint.* If any person who is liable for any tax administered by the department neglects or refuses to pay that tax within 10 days after that tax becomes delinquent, the department may collect that tax and the expenses of the levy by levy upon, and sale of, any property belonging to that person or any property on which there is a lien as provided by sub. (4) in respect to that delinquent tax. Whenever any property that has been levied upon under this section is not sufficient to satisfy the claim of the department, the department may levy upon any other property liable to levy of the person against whom that claim exists until the taxes and expenses of the levy are fully paid. A levy <u>imposed under this paragraph may be continuous or noncontinuous, except that a levy</u> on commissions, wages, or salaries is continuous ~~until the liability out of which it arose is satisfied~~.

1 ***–0281/P3.1*SECTION 1458.** 71.91 (6) (f) 1. of the statutes is amended to read:

2 71.91 **(6)** (f) 1. As soon as practicable after obtaining property, the department
3 shall notify, in ~~writing~~ the manner prescribed by the department, the owner of any
4 real or personal property, and, at the possessor's request, the possessor of any
5 personal property, obtained by the department under this subsection. That notice
6 may be left at the person's usual place of residence or business. If the owner cannot
7 be located or has no dwelling or place of business in this state, or if the property is
8 obtained as a result of a continuous levy on commissions, wages or salaries, the
9 department may mail a notice to the owner's last–known address. That notice shall
10 specify the sum demanded and shall contain, in the case of personal property, an
11 account of the property obtained and, in the case of real property, a description with
12 reasonable certainty of the property seized.

13 ***–0281/P3.2*SECTION 1459.** 71.91 (6) (f) 2. of the statutes is amended to read:

14 71.91 **(6)** (f) 2. As soon as practicable after obtaining property, the department
15 ~~shall notify the owner in the manner prescribed under subd. 1. and~~ shall cause a
16 notice of the sale to be published in a newspaper published or generally circulated
17 within the county where the property was obtained. If there is no newspaper
18 published or generally circulated in that county, the department shall post that
19 notice at the city, town or village hall nearest the place where the property was
20 obtained and in at least 2 other public places. That notice shall specify the property
21 to be sold and the time, place, manner and conditions of the sale.

22 ***–0276/P3.1*SECTION 1460.** 71.93 (3) (a) of the statutes is renumbered 71.93
23 (3) (a) (intro.) and amended to read:

24 71.93 **(3)** (a) (intro.) The department of revenue shall setoff any debt or other
25 amount owed to the department, regardless of the origin of the debt or of the amount,

its nature or its date. If after the setoff there remains a refund in excess of $10, the department shall set off the remaining refund against certified debts of other ~~state agencies.~~ entities in the following order:

(am) If more than one certified debt exists for any debtor for the same type of debt specified under par. (a) 1. to 9., the refund shall be first set off against the earliest debt certified, except that no child support or spousal support obligation submitted by an agency of another state may be set off until all debts owed to and certified by state agencies of this state have been set off. When all debts have been satisfied, any remaining refund shall be refunded to the debtor by the department. Any legal action contesting a setoff under this paragraph shall be brought against the ~~state agency~~ entity that certified the debt ~~under sub. (2)~~.

***–0276/P3.2*SECTION 1461.** 71.93 (3) (a) 1. to 9. of the statutes are created to read:

71.93 **(3)** (a) 1. Wisconsin child support debt certified by the department of children and families under sub. (2).

2. State agency debt collected pursuant to an agreement under sub. (8) and debt owed to the courts, the legislature, or an authority, as defined in s. 16.41 (4), collected pursuant to an agreement under sub. (8).

3. Debt owed to local units of government collected pursuant to an agreement under sub. (8).

4. Debt certified under sub. (2), other than child support debt certified by the department of children and families.

5. Child support or spousal support obligations submitted by an agency of another state.

6. Debt certified under s. 71.935 (2).

7. Federal tax obligations collected pursuant to an agreement under s. 73.03 (52) (a).

8. Tribal obligations collected pursuant to an agreement under s. 73.03 (52n).

9. Tax obligations of other states collected pursuant to an agreement under s. 73.03 (52m).

***–0276/P3.3*SECTION 1462.** 71.93 (8) (b) 6. of the statutes is amended to read:

71.93 **(8)** (b) 6. If the debtor owes debt to the department and to other entities, payments shall first apply to debts owed to the department~~,~~ then to the ~~state agencies, the courts, the legislature, and authorities, as defined in s. 16.41 (4), in the order in which the debts were referred to the department, and then to local units of government in the order in which the debts were referred to the department~~ other entities in the order determined under sub. (3) (a).

***–0263/P2.1*SECTION 1463.** 73.03 (27) of the statutes is amended to read:

73.03 **(27)** ~~To~~ With regard to taxes and fees administered by the department, to write off from the records of the department ~~income, franchise, sales, use, withholding, motor fuel, gift, beverage and cigarette~~ tax, fee, and economic development surcharge liabilities, following a determination by the secretary of revenue that they are not collectible. Taxes written off under this subsection remain legal obligations.

***–0277/P1.1*SECTION 1464.** 73.03 (52) (a) of the statutes is amended to read:

73.03 **(52)** (a) To enter into agreements with the Internal Revenue Service that provide for offsetting state tax refunds against federal tax obligations; and to charge a fee up to $25 per transaction for such offsets; and offsetting federal tax refunds against state tax obligations, and collecting the offset cost from the debtor, if the

agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those agreements.

***–0272/P1.1*SECTION 1465.** 73.03 (52m) of the statutes is amended to read:

73.03 **(52m)** To enter into agreements with other states that provide for offsetting state tax refunds against tax and nontax obligations of other states and offsetting tax refunds of other states against state tax and nontax obligations, if the agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those agreements.

***–0765/P1.2*SECTION 1466.** 73.03 (63) of the statutes is amended to read:

73.03 **(63)** Notwithstanding the amount limitations specified under ~~s. 71.07 (5d) (c) 1. and s. 238.15 (3) (d) or~~ s. 560.205 (3) (d), 2009 stats., or s. 238.15 (3) (d), in consultation with ~~the department of commerce or~~ the Wisconsin Economic Development Corporation, to carry forward to subsequent taxable years unclaimed credit amounts of the early stage seed investment credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 and the angel investment credit under s. 71.07 (5d). Annually, no later than July 1, the ~~department of commerce or the~~ Wisconsin Economic Development Corporation shall submit to the department of revenue its recommendations for the carry forward of credit amounts as provided under this subsection.

***–0956/P1.3*SECTION 1467.** 73.03 (66) of the statutes is repealed.

***–0790/1.16*SECTION 1468.** 73.03 (69) of the statutes is created to read:

73.03 **(69)** (a) To, effective on January 1, 2014, implement a program to register businesses for purposes of s. 71.05 (25) and (26). A business shall register electronically with the department each year for which the business desires registration.

(b) A business may register under this subsection if, in the business's taxable year ending immediately before the date of the businesses registration, all of the following apply:

1. The business has at least 2 full–time employees and the amount of payroll compensation paid by the business in this state is equal to at least 50 percent of the amount of all payroll compensation paid by the business.

2. The value of real and tangible personal property owned or rented and used by the business in this state is equal to at least 50 percent of the value of all real and tangible personal property owned or rented and used by the business.

(c) The department may adopt rules for the administration of this subsection.

(d) For each year beginning after December 31, 2013, the department shall compile a list of businesses registered under this subsection and shall make the list available to the public at the department's Internet site.

***–1167/P2.1*SECTION 1469.** 73.03 (70) of the statutes is created to read:

73.03 **(70)** In conjunction with the department of workforce development, to submit to the joint committee on finance, no later than June 30 of each year, a report describing the impact of the tax credits under ss. 71.07 (6n), 71.28 (6n), and 71.47 (6n) on unemployed veterans in this state. The report shall also specify the number and type of businesses that have claimed the credits under ss. 71.07 (6n), 71.28 (6n), and 71.47 (6n). Within 14 working days after the submittal date of the report, the cochairpersons of the committee shall notify the department of workforce development and the department of revenue that the committee has scheduled a meeting for the purpose of reviewing the report.

***–0221/P3.6*SECTION 1470.** 73.0301 (1) (d) 6. of the statutes is amended to read:

73.0301 **(1)** (d) 6. A license or certificate of registration issued by the department of financial institutions, or a division of it, under ss. 138.09, 138.12, 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

***–0387/7.12*SECTION 1471.** 73.0301 (1) (d) 6m. of the statutes is created to read:

73.0301 **(1)** (d) 6m. A certificate or registration issued under 168.23 (3).

***–0387/7.13*SECTION 1472.** 73.0301 (1) (e) of the statutes is amended to read:

73.0301 **(1)** (e) "Licensing department" means the department of administration; the department of agriculture, trade and consumer protection; the board of commissioners of public lands; the department of children and families; the government accountability board; the department of financial institutions; the department of health services; the department of natural resources; the department of public instruction; the department of safety and professional services; the department of workforce development; the office of the commissioner of insurance; or the department of transportation.

***–0255/P2.1*SECTION 1473.** 73.16 (1) (a) of the statutes is repealed.

***–0255/P2.2*SECTION 1474.** 73.16 (1) (ab) of the statutes is created to read:

73.16 **(1)** (ab) "Combined group" has the meaning given in s. 71.255 (1) (a).

***–0255/P2.3*SECTION 1475.** 73.16 (3) of the statutes is created to read:

73.16 **(3)** RELYING ON PAST AUDITS. (a) A person who is subject to a determination by the department, including all other members of that person's combined group for purposes of determining the tax due under s. 71.23 for taxable years beginning after December 31, 2008, shall not be liable for any amount that the department asserts that the person owes if all of the following conditions are satisfied:

1. The liability asserted by the department is the result of a tax issue during the period associated with a prior determination for which the person is subject to and the tax issue is the same as the tax issue during the period associated with the current determination.

2. A department employee who was involved in the prior determination identified or reviewed the tax issue before completing the prior determination, as shown by any schedules, exhibits, audit reports, documents, or other written evidence pertaining to the determination, and the schedules, exhibits, reports, documents and other written evidence show that the department did not adjust the person's treatment of the tax issue.

3. The liability asserted by the department as described under subd. 1. was not asserted in the prior determination.

(b) This subsection does not apply to any period associated with a determination, if the period begins after the promulgation of a rule, dissemination of written guidance to the public or to the person who is subject to the determination, the effective date of a statute, or the date on which a tax appeals commission or court decision becomes final and conclusive and if the rule, guidance, statute, or decision imposes the liability as result of the tax issue described in par. (a) 1. This subsection does not apply to any period associated with a determination if the taxpayer did not give the department employee adequate and accurate information or if the issue is settled by a written agreement between the department and the taxpayer.

***–0356/P1.1*SECTION 1476.** 76.14 of the statutes is amended to read:

76.14 Remedies for nonpayment of taxes. All taxes levied under this subchapter upon the property of any company defined in s. 76.02, which are not paid at the time provided by law, shall thereupon become delinquent and bear interest at

the rate of 1.5% per month until actually paid. Upon a showing by the department under s. 73.16 (4), the failure of any such company to pay the taxes and interest so required of the company within 60 days after the entry of final judgment dismissing in whole or in part any action of the company to restrain or set aside a tax, or the failure of the company within 60 days after the entry of final judgment in favor of the state for the taxes and interest to pay the judgment shall be cause for forfeiture of all the rights, privileges and franchises granted by special charter or obtained under general laws, by or under which the company is organized and its business is operated. The attorney general upon the showing by the department under s. 73.16 (4) shall proceed by action to have forfeiture of such rights, privileges and franchises of the company duly declared. Any such company, at any time before the final judgment for forfeiture of such rights, privileges and franchises is rendered, may be permitted, absent a showing by the department under s. 73.16 (4), to pay the taxes, interest and the costs of the action upon special application to the court in which the action is pending upon such terms as the court directs. Section 71.91, as it applies to the collection of delinquent taxes under ch. 71, applies to the collection of delinquent taxes under this subchapter.

***–0367/1.4*SECTION 1477.** 76.636 (1) (d) of the statutes is amended to read:

76.636 **(1)** (d) "Full–time job" ~~means a regular, nonseasonal, full–time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150 percent of the federal minimum wage and receives benefits that are not required by federal or state law. "Full–time job" does not include initial training before an employment position begins~~ has the meaning given in s. 238.30 (2m).

***–0063/4.48*SECTION 1478.** 76.636 (1) (e) 3. of the statutes is amended to read:

76.636 **(1)** (e) 3. A person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match program job, as defined in s. 49.141 (1) (n).

***–0063/4.49*SECTION 1479.** 76.636 (2) (b) of the statutes is amended to read:

76.636 **(2)** (b) The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full–time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.50*SECTION 1480.** 76.636 (2) (c) of the statutes is amended to read:

76.636 **(2)** (c) The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.51*SECTION 1481.** 76.636 (2) (d) of the statutes is amended to read:

76.636 **(2)** (d) The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0063/4.52*SECTION 1482.** 76.636 (2) (e) of the statutes is amended to read:

76.636 **(2)** (e) The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full–time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

***–0356/P1.2*SECTION 1483.** 76.84 (5) of the statutes is created to read:

76.84 **(5)** Section 71.91, as it applies to the collection of delinquent taxes under ch. 71, applies to the collection of delinquent taxes under this subchapter.

***–0264/P2.1*SECTION 1484.** 77.51 (2d) of the statutes is created to read:

77.51 **(2d)** "Custom farming services" include services performed by a veterinarian to animals that are farm livestock or work stock.

***–0266/P1.1*SECTION 1485.** 77.51 (10f) of the statutes is amended to read:

77.51 **(10f)** "Prepaid wireless calling service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content, and ancillary services, and that is paid for prior to use and sold in predetermined ~~dollar~~ units ~~whereby the number of units declines~~ <u>or dollars that decrease</u> with use in a known amount.

***–0268/P2.1*SECTION 1486.** 77.51 (10m) (a) 3. (intro.) of the statutes is amended to read:

77.51 **(10m)** (a) 3. (intro.) Food and food ingredients sold with eating utensils that are provided by the retailer of the food and food ingredients, including plates,

bowls, knives, forks, spoons, glasses, cups, napkins, or straws. In this subdivision, "plate" does not include a container or packaging used to transport food and food ingredients. For purposes of this subdivision, a retailer provides utensils if any of the following applies:

***–0268/P2.2*SECTION 1487.** 77.51 (10m) (a) 3. b. of the statutes is amended to read:

77.51 **(10m)** (a) 3. b. For retailers not described under subd. 3. a., the retailer's customary practice is to physically give or hand the utensils to the purchaser, except that plates, bowls, glasses, or cups that are necessary for the purchaser to receive the food and food ingredients need only be made available to the purchaser.

***–0516/P1.1*SECTION 1488.** 77.51 (11d) of the statutes is amended to read:

77.51 **(11d)** For purposes of subs. (1ag), (1f), (3pf), and (9p) and ss. 77.52 (20) and (21), 77.522, and 77.54 (51) ~~and~~, (52), and (60), "product" includes tangible personal property, and items, property, and goods under s. 77.52 (1) (b), (c), and (d), and services.

***–0268/P2.3*SECTION 1489.** 77.51 (11m) of the statutes is amended to read:

77.51 **(11m)** "Prosthetic device" means a replacement, corrective, or supportive device, including the repair parts and replacement parts for the device, that is placed in or worn on the body to artificially replace a missing portion of the body; to prevent or correct a physical deformity or malfunction; or to support a weak or deformed portion of the body.

***–0269/P2.2*SECTION 1490.** 77.51 (12m) (a) 2. of the statutes is amended to read:

77.51 **(12m)** (a) 2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, <u>except as provided in par. (b) 3m.</u>, and any other expense of the seller.

***–0269/P2.3*SECTION 1491.** 77.51 (12m) (b) 3m. of the statutes is created to read:

77.51 **(12m)** (b) 3m. Taxes imposed on the seller that are separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser if the law imposing or authorizing the tax provides that the seller may, but is not required to, pass on to and collect the tax from the user or consumer.

***–0269/P2.4*SECTION 1492.** 77.51 (15b) (a) 2. of the statutes is amended to read:

77.51 **(15b)** (a) 2. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, <u>except as provided in par. (b) 3m.</u>, and any other expense of the seller.

***–0269/P2.5*SECTION 1493.** 77.51 (15b) (b) 3m. of the statutes is created to read:

77.51 **(15b)** (b) 3m. Taxes imposed on the seller that are separately stated on the invoice, bill of sale, or similar document that the seller gives to the purchaser if the law imposing or authorizing the tax provides that the seller may, but is not required to, pass on to and collect the tax from the user or consumer.

***–0520/P1.1*SECTION 1494.** 77.52 (2) (a) 11. of the statutes is amended to read:

77.52 **(2)** (a) 11. The producing, fabricating, processing, printing, or imprinting of tangible personal property or items, property, or goods under ~~s. 77.52~~ <u>sub.</u> (1) (b), (c), or (d) for a consideration for consumers who furnish directly or indirectly the materials used in the producing, fabricating, processing, printing, or imprinting.

This subdivision does not apply to the printing or imprinting of tangible personal property or items, property, or goods under ~~s. 77.52~~ sub. (1) (b), (c), or (d) that results in printed material, catalogs, or envelopes that are exempt under s. 77.54 (25) ~~or~~, (25m), or (59).

***–0361/P1.1*SECTION 1495.** 77.52 (21) (b) of the statutes is amended to read:

77.52 **(21)** (b) ~~A~~ Except as provided in sub. (2m) (a), a person who provides a product that is not distinct and identifiable because it is provided free of charge to a purchaser who must also purchase another product that is subject to the tax imposed under this subchapter from that person in the same transaction may purchase the product provided free of charge without tax, for resale.

***–0268/P2.4*SECTION 1496.** 77.522 (4) (a) 9. of the statutes is amended to read:

77.522 **(4)** (a) 9. "Place of primary use" means ~~place of primary use, as determined under 4 USC 116 to 126, as amended by P.L. 106–252~~ the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, "place of primary use" means a street address within the licensed service area of the home service provider.

***–0268/P2.5*SECTION 1497.** 77.53 (16) of the statutes is amended to read:

77.53 **(16)** If the purchase, rental or lease of tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or service subject to the tax imposed by this section was subject to a sales tax by another state in which the purchase was made, the amount of sales tax paid the other state shall be applied as a credit against and deducted from the tax, to the extent thereof, imposed by this section, except no credit may be applied against and deducted from a sales tax paid on the purchase of advertising and promotional direct mail, if the advertising and promotional direct mail purchaser did not provide to the seller a direct pay permit,

an exemption certificate claiming advertising and promotional direct mail, or other information that indicates the appropriate taxing jurisdiction to which the advertising and promotional direct mail is delivered to the ultimate recipients. In this subsection "sales tax" includes a use or excise tax imposed on the use of tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or taxable service by the state to which the sale was sourced and "state" includes the District of Columbia and the commonwealth of Puerto Rico but does not include the several territories organized by congress.

***–0518/P2.1*SECTION 1498.** 77.54 (57) (a) 1f. of the statutes is renumbered 77.51 (1c).

***–0518/P2.2*SECTION 1499.** 77.54 (57) (a) 1m. of the statutes is renumbered 77.51 (1d).

***–0518/P2.3*SECTION 1500.** 77.54 (57) (a) 4. of the statutes is renumbered 77.51 (10rn).

***–0518/P2.4*SECTION 1501.** 77.54 (57) (a) 5. of the statutes is repealed.

***–0518/P2.5*SECTION 1502.** 77.54 (57) (b) 1. of the statutes is repealed.

***–0518/P2.6*SECTION 1503.** 77.54 (57) (b) 2. of the statutes is repealed.

***–0268/P2.6*SECTION 1504.** 77.54 (57) (b) 4. of the statutes is amended to read:

77.54 **(57)** (b) 4. The items listed in sub. (3m) (a) to (m), ~~medicines~~ drugs, semen for artificial insemination, fuel, and electricity that are used exclusively and directly in raising animals that are sold primarily to a biotechnology business, a public or private institution of higher education, or a governmental unit for exclusive and direct use by any such entity in qualified research or manufacturing.

***–0518/P2.7*SECTION 1505.** 77.54 (57d) of the statutes is created to read:

77.54 **(57d)** (a) In this subsection:

1. "Building" has the meaning given in s. 70.111 (10) (a) 1.

2. "Combined group" has the meaning given in s. 71.255 (1) (a).

3. "Machinery" has the meaning given in s. 70.11 (27) (a) 2.

4. "Qualified research" means qualified research as defined under section 41 (d) (1) of the Internal Revenue Code, except that it includes qualified research that is funded by a member of a combined group for another member of a combined group.

5. "Used exclusively" has the meaning given in sub. (3) (b) 3.

(b) The sales price from the sale of and the storage, use, or other consumption of machinery and equipment, including attachments, parts, and accessories, and other tangible personal property or items or property under s. 77.52 (1) (b) or (c) that are sold to any of the following and that are consumed or destroyed or lose their identities while being used exclusively and directly in qualified research:

1. A person engaged in manufacturing in this state at a building assessed under s. 70.995.

2. A person engaged primarily in biotechnology in this state.

3. A combined group member who is conducting qualified research for another combined group member and that other combined group member is a person described under subd. 1. or 2.

***–0516/P1.2*SECTION 1506.** 77.54 (60) of the statutes is created to read:

77.54 **(60)** (a) In this subsection, "lump sum contract" means a contract to perform real property construction activities and to provide tangible personal property, items or property under s. 77.52 (1) (b) or (c), or taxable services and for which the contractor quotes the charge for labor, services of subcontractors, tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable services as one price, including a contract for which the contractor itemizes the

charges for labor, services of subcontractors, tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable services as part of a schedule of values or similar document.

(b) The sales price from the sale of and the storage, use, or other consumption of tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable services that are sold by a contractor as part of a lump sum contract, if the total sales price of all such taxable products is less than 10 percent of the total amount of the lump sum contract. Except as provided in par. (c), the contractor is the consumer of such taxable products and shall pay the tax imposed under this subchapter on the taxable products.

(c) If the lump sum contract is entered into with an entity that is exempt from taxation under sub. (9a), the contractor is the consumer of all taxable products used by the contractor in real property construction activities, but the contractor may purchase without tax, for resale, tangible personal property, items and property under s. 77.52 (1) (b) and (c), and taxable services that are sold by the contractor as part of the lump sum contract with the entity and that are not consumed by the contractor in real property construction activities.

***–0257/P1.1*SECTION 1507.** 77.58 (1) (a) of the statutes is amended to read:

77.58 **(1)** (a) If the amount of tax for any calendar quarter exceeds ~~$600~~ $1,200, the department may require by written notice to the taxpayer that the taxes imposed on and after the date specified in the notice are due and payable on the last day of the month next succeeding the calendar month for which imposed.

***–0270/P2.1*SECTION 1508.** 77.585 (10) of the statutes is created to read:

77.585 **(10)** A retailer who receives an exemption certificate after reporting a sale as taxable may either claim a deduction for the tax amount on a subsequent

return or file an amended return for the period in which the transaction was originally reported.

***–0362/P2.1*SECTION 1509.** 77.59 (4) (a) of the statutes is amended to read:

77.59 **(4)** (a) Except as provided in sub. (3m), at any time within 4 years after the due date~~, or in the case of buyers the unextended due date,~~ of a person's corresponding Wisconsin income or franchise tax return or, if exempt, within 4 years of the 15th day of the 4th month of the year following the close of the calendar or fiscal year for which that person files a claim, that person may, unless a determination by the department by office or field audit of a seller has been made and unless a determination by office audit of a buyer other than an audit in which the tax that is the subject of the refund claim was not adjusted has been made and unless a determination by field audit of the buyer has been made, file with the department a claim for refund of taxes paid to the department by that person. If the amount of the claim is at least $50 or if either the seller has ceased doing business, the buyer is being field audited or the seller may no longer file a claim, the buyer may, within the time period under this subsection, file a claim with the department for a refund of the taxes paid to the seller. A claim is timely if it fulfills the requirements under s. 77.61 (14). A buyer may claim a refund under this paragraph only on a form prescribed by the department, only by signing that form and only if the seller signs the form unless the department waives that requirement. If both a buyer and a seller file a valid claim for the same refund, the department may pay either claim. The claim for refund shall be regarded as a request for determination. The determination thus requested shall be made by the department within one year after the claim for refund is received by it unless the taxpayer has consented in writing to an extension of the one–year time period prior to its expiration.

***–0474/P1.1*SECTION 1510.** 77.62 (intro.) of the statutes is amended to read:

77.62 Collection of delinquent sales and use taxes. (intro.) The department of revenue may exercise the powers vested in it by ss. 71.80 (12), 71.82 (2), 71.91 (1) (a) and (c), (2) to ~~(5m) and~~ (7), 71.92 and 73.0301 in connection with collection of delinquent sales and use taxes including, without limitation because of enumeration, the power incorporated by reference in s. 71.91 (5) (j), and the power to:

***–0260/P1.2*SECTION 1511.** 77.982 (2) of the statutes is amended to read:

77.982 **(2)** Sections 77.51 (1f), (3pf), (9p), (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5), (13), (14), and (18) to (23), 77.54 (51) and (52), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (6), (8), (9), ~~and~~ (12) to (15), and (19m), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter.

***–0260/P1.3*SECTION 1512.** 77.991 (2) of the statutes is amended to read:

77.991 **(2)** Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (6), (8), (9), ~~and~~ (12) to (15), and (19m), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Section 77.73, as it applies to the taxes under subch. V, applies to the tax under this subchapter. The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.

***–0260/P1.4*SECTION 1513.** 77.9951 (2) of the statutes is amended to read:

77.9951 **(2)** Sections 77.51 (3r), (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5), (13), (14), (18), and (19), 77.58 (1) to (5), (6m), and (7), 77.522, 77.585, 77.59,