



State of Wisconsin

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STEPHEN R. MILLER
CHIEF

May 3, 2013

MEMORANDUM

To: Representative Born

From: Marc E. Shovers, Managing Attorney, (608) 266-0129

Subject: Technical Memorandum to **2013 AB 166** (LRB-1955/1) by **DOR**

We received the attached technical memorandum relating to your bill. This copy is for your information and your file.

If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

MEMORANDUM

April 30, 2013

TO: Marc Shovers
Legislative Reference Bureau

FROM: John Koskinen
Brad Caruth
Department of Revenue

SUBJECT: Technical Memorandum on Assembly Bill 166: Creating an Individual Income Tax Exemption for Military Income Received by Active Duty Members of the U.S. Armed Forces Who Die in a Combat Zone

The Department has the following concerns related to the bill:

The exemption applies for an individual who dies in a combat zone, but would not apply if an individual was seriously injured in a combat zone, flown to a military hospital, and died outside of the combat zone. This could be clarified by using similar language as in sec. 692, IRC, which states "In the case of any individual who dies while in active service as a member of the Armed Forces of the United States, if such death occurred while serving in a combat zone ... or as a result of wounds, disease, or injury incurred while so serving...".

If you have any questions regarding this technical memorandum, please contact Brad Caruth at (608) 261-8984 or bradley.caruth@revenue.wi.gov.

cc: Representative Born