



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 156
[2017 Assembly Bill 897]

**Elimination of Fees Required to
be Paid by Certain Foreign
Corporations**

Current law requires a foreign corporation¹ to obtain from the Department of Financial Institutions (DFI) a certificate of authority before transacting business in Wisconsin. Thereafter, a foreign corporation must annually file a report with DFI, and must obtain a certificate of withdrawal from DFI before withdrawing its operations from Wisconsin.

The fees associated with a certificate of authority, an annual report, and a certificate of withdrawal each consist of a flat fee plus a capital-based variable fee that increases in proportion to the amount of the corporation's capital that is employed in Wisconsin.

2017 Wisconsin Act 156 ("the Act") eliminates the capital-based variable fee portion of each of these fees for a foreign corporation that is certified by the Wisconsin Economic Development Corporation as a "qualified new business venture." To be certified as a qualified new business venture, a business must satisfy the following conditions:

- It is headquartered in Wisconsin.
- At least 51% of its employees are employed in Wisconsin.
- It has the potential for increasing jobs or capital investment in Wisconsin.
- It has fewer than 100 employees.
- It has been in operation in Wisconsin for 10 or fewer consecutive years.

Effective date: June 1, 2018.

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¹ "Foreign corporation" means a for-profit corporation incorporated under the laws of another state or country. [s. 108.0103 (9), Stats.]

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.