

1991 Assembly Bill 572

Date of enactment: **April 30, 1992**

Date of publication*: **May 13, 1992**

1991 WISCONSIN ACT 292

AN ACT to renumber and amend 71.07 (2dj) (am) 4, 71.07 (2dj) (e) 3, 71.28 (1dj) (am) 4, 71.28 (1dj) (e) 3, 71.47 (1dj) (am) 4 and 71.47 (1dj) (e) 3; to amend 71.07 (2dj) (am) 4t, 71.28 (1dj) (am) 4t and 71.47 (1dj) (am) 4t; and to create 71.07 (2dj) (am) 4. b., 71.07 (2dj) (e) 3. b., 71.28 (1dj) (am) 4. b., 71.28 (1dj) (e) 3. b., 71.47 (1dj) (am) 4. b. and 71.47 (1dj) (e) 3. b. of the statutes, relating to: development zones jobs credit treatment of leased or rented employes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 71.07 (2dj) (am) 4 of the statutes is renumbered 71.07 (2dj) (am) 4. a. and amended to read:

71.07 (2dj) (am) 4. a. Modify If certified under s. 560.765 (3) for tax benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits ~~under s. 560.765 (3)~~ and to exclude wages that are paid to employes for work at any location that is not in a development zone under subch. VI of ch. 560. For purposes of this ~~subdivision~~ subd. 4. a., mobile employes work at their base of operations and leased or rented employes work at the location where they perform services.

SECTION 2. 71.07 (2dj) (am) 4. b. of the statutes is created to read:

71.07 (2dj) (am) 4. b. If certified under s. 560.765 (3) for tax benefits after December 31, 1991, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employes for work at any location that is not in a development zone under subch. VI of ch. 560. For purposes of this subd. 4. b., mobile employes and leased or rented employes work at their base of operations.

SECTION 3. 71.07 (2dj) (am) 4t of the statutes is amended to read:

71.07 (2dj) (am) 4t. ~~Modify~~ If certified under s. 560.765 (3) for tax benefits before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that for leased or rented employes, except employes of a leasing agency certified for tax benefits ~~under s. 560.765 (3)~~ who perform services directly for the agency in a development zone, the minimum employment periods apply to the time that they perform services in a development zone for a single lessee or renter, not to their employment by the leasing agency.

SECTION 4. 71.07 (2dj) (e) 3. of the statutes is renumbered 71.07 (2dj) (e) 3. a. and amended to read:

71.07 (2dj) (e) 3. a. ~~A~~ If certified under s. 560.765 (3) for tax benefits before January 1, 1992, a statement from the department of development verifying the amount of qualifying wages and verifying that the employes were hired for work only in a development zone or are mobile employes whose base of operations is in a development zone.

SECTION 5. 71.07 (2dj) (e) 3. b. of the statutes is created to read:

71.07 (2dj) (e) 3. b. If certified under s. 560.765 (3) for tax benefits after December 31, 1991, a statement from the department of development verifying the amount of qualifying wages and verifying that the employes were hired for work only in a development zone or are mobile employes or leased or rented employes whose base of operations is in a development zone.

1991 Assembly Bill 572

SECTION 6. 71.28 (1dj) (am) 4 of the statutes is renumbered 71.28 (1dj) (am) 4. a. and amended to read:

71.28 (1dj) (am) 4. a. ~~Modify If certified under s. 560.765 (3) for tax benefits before January 1, 1992.~~ modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits ~~under s. 560.765 (3)~~ and to exclude wages that are paid to employes for work at any location that is not in a development zone under subch. VI of ch. 560. For purposes of this ~~subdivision~~ subd. 4. a., mobile employes work at their base of operations and leased or rented employes work at the location where they perform services.

SECTION 7. 71.28 (1dj) (am) 4. b. of the statutes is created to read:

71.28 (1dj) (am) 4. b. If certified under s. 560.765 (3) for tax benefits after December 31, 1991, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employes for work at any location that is not in a development zone under subch. VI of ch. 560. For purposes of this subd. 4. b., mobile employes and leased or rented employes work at their base of operations.

SECTION 8. 71.28 (1dj) (am) 4t of the statutes is amended to read:

71.28 (1dj) (am) 4t. ~~Modify If certified under s. 560.765 (3) for tax benefits before January 1, 1992.~~ modify section 51 (i) (3) of the internal revenue code so that for leased or rented employes, except employes of a leasing agency certified for tax benefits ~~under s. 560.765 (3)~~ who perform services directly for the agency in a development zone, the minimum employment periods apply to the time that they perform services in a development zone for a single lessee or renter, not to their employment by the leasing agency.

SECTION 9. 71.28 (1dj) (e) 3. of the statutes is renumbered 71.28 (1dj) (e) 3. a. and amended to read:

71.28 (1dj) (e) 3. a. ~~A If certified under s. 560.765 (3) for tax benefits before January 1, 1992,~~ a statement from the department of development verifying the amount of qualifying wages and verifying that the employes were hired for work only in a development zone or are mobile employes whose base of operations is in a development zone.

SECTION 10. 71.28 (1dj) (e) 3. b. of the statutes is created to read:

71.28 (1dj) (e) 3. b. If certified under s. 560.765 (3) for tax benefits after December 31, 1991, a statement from the department of development verifying the amount of qualifying wages and verifying that the employes were hired for work only in a development zone or are mobile employes or leased or rented employes whose base of operations is in a development zone.

SECTION 11. 71.47 (1dj) (am) 4 of the statutes is renumbered 71.47 (1dj) (am) 4. a. and amended to read:

71.47 (1dj) (am) 4. a. ~~Modify If certified under s. 560.765 (3) for tax benefits before January 1, 1992.~~ modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits ~~under s. 560.765 (3)~~ and to exclude wages that are paid to employes for work at any location that is not in a development zone under subch. VI of ch. 560. For purposes of this ~~subdivision~~ subd. 4. a., mobile employes work at their base of operations and leased or rented employes work at the location where they perform services.

SECTION 12. 71.47 (1dj) (am) 4. b. of the statutes is created to read:

71.47 (1dj) (am) 4. b. If certified under s. 560.765 (3) for tax benefits after December 31, 1991, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employes for work at any location that is not in a development zone under subch. VI of ch. 560. For purposes of this subd. 4. b., mobile employes and leased or rented employes work at their base of operations.

SECTION 13. 71.47 (1dj) (am) 4t of the statutes is amended to read:

71.47 (1dj) (am) 4t. ~~Modify If certified under s. 560.765 (3) for tax benefits before January 1, 1992.~~ modify section 51 (i) (3) of the internal revenue code so that for leased or rented employes, except employes of a leasing agency certified for tax benefits ~~under s. 560.765 (3)~~ who perform services directly for the agency in a development zone, the minimum employment periods apply to the time that they perform services in a development zone for a single lessee or renter, not to their employment by the leasing agency.

SECTION 14. 71.47 (1dj) (e) 3. of the statutes is renumbered 71.47 (1dj) (e) 3. a. and amended to read:

71.47 (1dj) (e) 3. a. ~~A If certified under s. 560.765 (3) for tax benefits before January 1, 1992,~~ a statement from the department of development verifying the amount of qualifying wages and verifying that the employes were hired for work only in a development zone or are mobile employes whose base of operations is in a development zone.

SECTION 15. 71.47 (1dj) (e) 3. b. of the statutes is created to read:

71.47 (1dj) (e) 3. b. If certified under s. 560.765 (3) for tax benefits after December 31, 1991, a statement from the department of development verifying the amount of qualifying wages and verifying that the employes were hired for work only in a development zone or are mobile employes or leased or rented employes whose base of operations is in a development zone.

1991 Assembly Bill 572

– 3 –

SECTION 16. Initial applicability. This act first applies to a taxable year of a partnership, tax–option corporation or person that begins on January 1, 1992, and first applies to the appropriate taxable year of a partner of the partnership or shareholder of the tax–option corpora-

tion to conform the partner’s or shareholder’s treatment of a tax credit that is passed through by the partnership or tax–option corporation to the partnership’s or tax–option corporation’s treatment of the tax credit.
