



**ASSEMBLY AMENDMENT 8,
TO ASSEMBLY BILL 484**

January 14, 2014 – Offered by Representative KOOYENGA.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 7: after “printing” insert “the alternative minimum tax,”.

3 **2.** Page 5, line 5: after that line insert:

4 “**SECTION 7m.** 71.07 (4k) (b) 1. of the statutes, as created by 2013 Wisconsin Act
5 20, is amended to read:

6 71.07 (**4k**) (b) 1. Subject to the limitations provided in this subsection, and
7 except as provided in subds. 2. and 3., for taxable years beginning after December
8 31, 2012, an individual, a partner of a partnership, a shareholder of a tax-option
9 corporation, or a member of a limited liability company may claim a credit against
10 the tax imposed under s. 71.02 or 71.08, as allocated under par. (d), an amount equal
11 to 5 percent of the amount obtained by subtracting from the individual’s,
12 partnership’s, tax-option corporation’s, or limited liability company’s qualified
13 research expenses, as defined in section 41 of the Internal Revenue Code, except that

1 “qualified research expenses” includes only expenses incurred by the individual,
2 partnership, tax-option corporation, or the limited liability company, incurred for
3 research conducted in this state for the taxable year, except that a taxpayer may elect
4 the alternative computation under section 41 (c) (4) of the Internal Revenue Code
5 and that election applies until the department permits its revocation, except as
6 provided in par. (c), and except that “qualified research expenses” does not include
7 compensation used in computing the credit under subs. (2dj) and (2dx), the entity’s
8 base amount, as defined in section 41 (c) of the Internal Revenue Code, except that
9 gross receipts used in calculating the base amount means gross receipts from sales
10 attributable to Wisconsin under ss. 71.04 (7) (b) 1. and 2., (df), (dh), (dj), and (dk).
11 Section 41 (h) of the Internal Revenue Code does not apply to the credit under this
12 subdivision.”.

13 **3.** Page 5, line 8: after that line insert:

14 “**SECTION 8d.** 71.07 (5k) (b) of the statutes is amended to read:

15 71.07 **(5k)** (b) *Filing claims.* Subject to the limitations provided in this
16 subsection, for taxable years beginning after July 1, 2011, a claimant may claim as
17 a credit against the tax imposed under s. 71.02 or 71.08, up to the amount of those
18 taxes, an amount equal to 5 percent of the amount the claimant paid in the taxable
19 year to a community rehabilitation program to perform work for the claimant’s
20 business, pursuant to a contract.

21 **SECTION 8m.** 71.07 (5m) (a) 4. of the statutes is amended to read:

22 71.07 **(5m)** (a) 4. “Net tax liability” means a claimant’s income tax liability after
23 he or she completes the computations listed in s. 71.10 (4) (~~a~~) (ab) to (dr).

24 **SECTION 8p.** 71.07 (5m) (b) (intro.) of the statutes is amended to read:

1 71.07 **(5m)** (b) *Filing claims.* (intro.) Subject to the limitations provided in this
2 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02
3 or 71.08, up to the amount of those taxes, one of the following amounts.”.

4 **4.** Page 5, line 14: after that line insert:

5 “**SECTION 9m.** 71.07 (9r) (a) of the statutes is amended to read:

6 71.07 **(9r)** (a) For taxable years beginning on or after August 1, 1988, any
7 natural person may credit against taxes otherwise due under s. 71.02 or 71.08 an
8 amount equal to 25% of the costs of preservation or rehabilitation of historic property
9 located in this state, including architectural fees and costs incurred in preparing
10 nomination forms for listing in the national register of historic places in Wisconsin
11 or the state register of historic places, if the nomination is made within 5 years prior
12 to submission of a preservation or rehabilitation plan under par. (b) 3. b., and if the
13 physical work of construction or destruction in preparation for construction begins
14 after December 31, 1988, except that the credit may not exceed \$10,000, or \$5,000
15 for married persons filing separately, for any preservation or rehabilitation project.”.

16 **5.** Page 5, line 15: delete lines 15 to 25 and substitute:

17 “**SECTION 10b.** 71.08 (1) (intro.) of the statutes, as affected by 2013 Wisconsin
18 Act 20, is amended to read:

19 71.08 **(1)** IMPOSITION. (intro.) If the tax imposed on a natural person, married
20 couple filing jointly, trust, or estate under s. 71.02, not considering the credits under
21 ss. 71.07 (1), ~~(2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy), (3m), (3n), (3p),~~
22 ~~(3q), (3r), (3rm), (3rn), (3s), (3t), (3w), (5b), (5d), (5e), (5f), (5h), (5i), (5j), (6), (6e), (8r),~~
23 ~~(9e), and (9m), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (2m), (3), (3n),~~
24 ~~(3t), and (3w), 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (2m), (3), (3n),~~

1 ~~(3t), and (3w)~~, 71.57 to 71.61, and 71.613 and subch. VIII and payments to other
2 states under s. 71.07 (7), is less than the tax under this section, there is imposed on
3 that natural person, married couple filing jointly, trust or estate, instead of the tax
4 under s. 71.02, an alternative minimum tax computed as follows:”.

5 **6.** Page 5, line 25: after that line insert:

6 **“SECTION 10d.** 71.08 (1) (d) of the statutes is amended to read:

7 71.08 (1) (d) Subtract from the amount under par. (c) the appropriate amount
8 under section 55 (d) (1) ~~and, (3), and (4)~~ of the ~~internal revenue code~~ federal Internal
9 Revenue Code in effect for the taxable year; except that surviving spouses shall be
10 treated as single individuals; except that the amount under par. (c), not the federal
11 alternative minimum taxable income, shall be used in calculating the phase-out and
12 except that for nonresidents and part-year residents the amount under section 55
13 (d) (1) ~~and, (3), and (4)~~ of the ~~internal revenue code~~ federal Internal Revenue Code
14 in effect for the taxable year shall be prorated on the basis of the ratio of Wisconsin
15 adjusted gross income to federal adjusted gross income.”.

16 **7.** Page 6, line 1: delete that line and substitute:

17 **“SECTION 11b.** 71.10 (4) (a) of the statutes is renumbered 71.10 (4) (ad).

18 **SECTION 11d.** 71.10 (4) (f) of the statutes is renumbered 71.10 (4) (ab).”.

19 **8.** Page 9, line 25: after that line insert:

20 “(1d) The treatment of sections 71.07 (4k) (b) 1., (5k) (b), (5m) (a) 4. and (b)
21 (intro.), and (9r) (a), 71.08 (1) (intro.) and (d), and 71.10 (4) (a) and (f) of the statutes
22 first applies to taxable years beginning on January 1, 2014.”.

23 (END)