



## 2003 ASSEMBLY BILL 807

February 3, 2004 - Introduced by Representatives MUSSER, KREIBICH, NISCHKE, PETTIS, SUDER, OWENS, BOYLE, J. WOOD, TURNER, KRAWCZYK, GUNDERSON, MCCORMICK, HAHN, NASS and ALBERS, cosponsored by Senator KANAVAS. Referred to Joint Survey Committee on Tax Exemptions.

1       **AN ACT to amend** 71.01 (6) (j), 71.01 (6) (k), 71.01 (6) (L), 71.01 (6) (m), 71.01 (6)  
2           (n), 71.01 (6) (o), 71.01 (6) (p), 71.22 (4) (j), 71.22 (4) (k), 71.22 (4) (L), 71.22 (4)  
3           (m), 71.22 (4) (n), 71.22 (4) (o), 71.22 (4) (p), 71.22 (4m) (h), 71.22 (4m) (i), 71.22  
4           (4m) (j), 71.22 (4m) (k), 71.22 (4m) (L), 71.22 (4m) (m), 71.22 (4m) (n), 71.26 (2)  
5           (b) 10., 71.26 (2) (b) 11., 71.26 (2) (b) 12., 71.26 (2) (b) 13., 71.26 (2) (b) 14., 71.26  
6           (2) (b) 15., 71.26 (2) (b) 16., 71.34 (1g) (j), 71.34 (1g) (k), 71.34 (1g) (L), 71.34 (1g)  
7           (m), 71.34 (1g) (n), 71.34 (1g) (o), 71.34 (1g) (p), 71.42 (2) (i), 71.42 (2) (j), 71.42  
8           (2) (k), 71.42 (2) (L), 71.42 (2) (m), 71.42 (2) (n) and 71.42 (2) (o); and **to create**  
9           71.05 (6) (b) 34. of the statutes; **relating to:** adopting changes to the Internal  
10          Revenue Code for state income and franchise tax purposes and creating an  
11          individual income tax exemption for pay received from the federal government

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1           by certain members of a reserve component of the armed forces who serve on  
2           active duty.

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***Analysis by the Legislative Reference Bureau***

This bill adopts, for state income and franchise tax purposes, changes to the Internal Revenue Code made by Public Law 108-121, the Military Family Tax Relief Act of 2003. Public Law 108-121 provides, in part, for an increase in the death gratuity that is payable to the family of a deceased member of the armed forces and excludes the amount of the death gratuity from the calculation of gross income. The bill also creates an individual income tax exemption for pay received from the federal government by a member of a reserve component of the armed forces who is called to active federal service or special state service. The exemption applies to any amounts of military pay that are paid to the person and that relate to the period of time during which the person is on active duty.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3           **SECTION 1.** 71.01 (6) (j) of the statutes, as affected by 2003 Wisconsin Act 33,  
4           is amended to read:  
5           71.01 **(6)** (j) For taxable years that begin after December 31, 1994, and before  
6           January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear  
7           decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
8           Internal Revenue Code as amended to December 31, 1994, excluding sections 103,  
9           104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and  
10          13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-117, P.L. 104-188,  
11          excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
12          104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
13          162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and

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1 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly affected  
2 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,  
3 P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding  
4 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,  
5 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
6 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188,  
7 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
8 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
9 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
10 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121. The Internal Revenue Code  
11 applies for Wisconsin purposes at the same time as for federal purposes.  
12 Amendments to the federal Internal Revenue Code enacted after December 31, 1994,  
13 do not apply to this paragraph with respect to taxable years beginning after  
14 December 31, 1994, and before January 1, 1996, except that changes to the Internal  
15 Revenue Code made by P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections  
16 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34,  
17 P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L.  
18 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
19 and P.L. 107-181, and P.L. 108-121, and changes that indirectly affect the provisions  
20 applicable to this subchapter made by P.L. 104-7, P.L. 104-117, P.L. 104-188,  
21 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
22 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
23 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
24 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin  
25 purposes at the same time as for federal purposes.

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1           **SECTION 2.** 71.01 (6) (k) of the statutes, as affected by 2003 Wisconsin Act 33,  
2 is amended to read:

3           71.01 **(6)** (k) For taxable years that begin after December 31, 1995, and before  
4 January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear  
5 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
6 Internal Revenue Code as amended to December 31, 1995, excluding sections 103,  
7 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and  
8 13203 (d) of P.L. 103-66, and as amended by P.L. 104-117, P.L. 104-188, excluding  
9 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
10 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
11 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
12 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
13 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,  
14 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90,  
15 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
16 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
17 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.  
18 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L.  
19 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.  
20 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134,  
21 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and  
22 P.L. 108-121. The Internal Revenue Code applies for Wisconsin purposes at the  
23 same time as for federal purposes. Amendments to the federal Internal Revenue  
24 Code enacted after December 31, 1995, do not apply to this paragraph with respect  
25 to taxable years beginning after December 31, 1995, and before January 1, 1997,

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1       except that changes to the Internal Revenue Code made by P.L. 104-117, P.L.  
2       104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
3       104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
4       106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
5       excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~  
6       and changes that indirectly affect the provisions applicable to this subchapter made  
7       by P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605  
8       of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206,  
9       P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.  
10      107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, ~~and P.L.~~  
11      107-181, ~~and P.L. 108-121,~~ apply for Wisconsin purposes at the same time as for  
12      federal purposes.

13           **SECTION 3.** 71.01 (6) (L) of the statutes, as affected by 2003 Wisconsin Act 33,  
14      is amended to read:

15           71.01 (6) (L) For taxable years that begin after December 31, 1996, and before  
16      January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear  
17      decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
18      Internal Revenue Code as amended to December 31, 1996, excluding sections 103,  
19      104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
20      (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
21      104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,  
22      P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.  
23      107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding  
24      sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~ and as  
25      indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.

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1 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.  
2 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
3 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
4 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.  
5 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
6 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
7 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
8 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
9 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
10 108-121. The Internal Revenue Code applies for Wisconsin purposes at the same  
11 time as for federal purposes. Amendments to the federal Internal Revenue Code  
12 enacted after December 31, 1996, do not apply to this paragraph with respect to  
13 taxable years beginning after December 31, 1996, and before January 1, 1998,  
14 except that changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34,  
15 P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and  
16 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,  
17 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and  
18 P.L. 108-121, and changes that indirectly affect the provisions applicable to this  
19 subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
20 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
21 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
22 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin  
23 purposes at the same time as for federal purposes.

24 **SECTION 4.** 71.01 (6) (m) of the statutes, as affected by 2003 Wisconsin Act 33,  
25 is amended to read:

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1           71.01 (6) (m) For taxable years that begin after December 31, 1997, and before  
2           January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear  
3           decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
4           Internal Revenue Code as amended to December 31, 1997, excluding sections 103,  
5           104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
6           (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
7           104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36,  
8           P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.  
9           107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding  
10          sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~ and as  
11          indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
12          101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.  
13          102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
14          102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
15          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.  
16          104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
17          (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
18          105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,  
19          excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
20          of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
21          107-147, ~~and P.L. 107-181, and P.L. 108-121.~~ The Internal Revenue Code applies  
22          for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
23          federal Internal Revenue Code enacted after December 31, 1997, do not apply to this  
24          paragraph with respect to taxable years beginning after December 31, 1997, and  
25          before January 1, 1999, except that changes to the Internal Revenue Code made by

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1 P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,  
2 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
3 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
4 107-147, and P.L. 107-181, and P.L. 108-121, and changes that indirectly affect the  
5 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.  
6 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of  
7 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
8 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
9 108-121, apply for Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 5.** 71.01 (6) (n) of the statutes, as affected by 2003 Wisconsin Act 33,  
11 is amended to read:

12 71.01 **(6)** (n) For taxable years that begin after December 31, 1998, and before  
13 January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear  
14 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
15 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,  
16 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
17 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
18 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
19 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
20 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
21 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, and as indirectly  
22 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
23 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227,  
24 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
25 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.



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1 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L.  
2 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
3 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
4 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
5 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
6 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
7 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121. The Internal Revenue  
8 Code applies for Wisconsin purposes at the same time as for federal purposes.  
9 Amendments to the federal Internal Revenue Code enacted after December 31, 1998,  
10 do not apply to this paragraph with respect to taxable years beginning after  
11 December 31, 1998, and before January 1, 2000, except that changes to the Internal  
12 Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
13 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
14 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
15 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, and changes that  
16 indirectly affect the provisions applicable to this subchapter made by P.L. 106-36,  
17 P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.  
18 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
19 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.  
20 107-276, and P.L. 108-121, apply for Wisconsin purposes at the same time as for  
21 federal purposes.

22 **SECTION 6.** 71.01 (6) (o) of the statutes, as affected by 2003 Wisconsin Act 33,  
23 is amended to read:

24 71.01 (6) (o) For taxable years that begin after December 31, 1999, and before  
25 January 1, 2003, for natural persons and fiduciaries, except fiduciaries of nuclear

**ASSEMBLY BILL 807****SECTION 6**

1 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal  
2 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,  
3 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
4 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
5 104-188, as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165  
6 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
7 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of  
8 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
9 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
10 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.  
11 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
12 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
13 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
14 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
15 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
16 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
17 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,  
18 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.  
19 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181,  
20 P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L. 108-121. The Internal  
21 Revenue Code applies for Wisconsin purposes at the same time as for federal  
22 purposes. Amendments to the federal Internal Revenue Code enacted after  
23 December 31, 1999, do not apply to this paragraph with respect to taxable years  
24 beginning after December 31, 1999, and before January 1, 2003, except that changes  
25 to the Internal Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections

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1 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
2 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
3 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.  
4 107-358, and P.L. 108-121, and changes that indirectly affect the provisions  
5 applicable to this subchapter made by P.L. 106-230, P.L. 106-554, P.L. 107-15, P.L.  
6 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.  
7 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181,  
8 P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L. 108-121, apply for Wisconsin  
9 purposes at the same time as for federal purposes.

10 **SECTION 7.** 71.01 (6) (p) of the statutes, as created by 2003 Wisconsin Act 33,  
11 is amended to read:

12 71.01 (6) (p) For taxable years that begin after December 31, 2002, for natural  
13 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or  
14 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code  
15 as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
16 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
17 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,  
18 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and  
19 section 101 of P.L. 107-147, and as amended by P.L. 108-121, and as indirectly  
20 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
21 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227,  
22 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
23 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
24 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L.  
25 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

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1 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
2 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
3 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
4 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
5 excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and  
6 P.L. 107-358, and P.L. 108-121. The Internal Revenue Code applies for Wisconsin  
7 purposes at the same time as for federal purposes. Amendments to the federal  
8 Internal Revenue Code enacted after December 31, 2002, do not apply to this  
9 paragraph with respect to taxable years beginning after December 31, 2002, except  
10 that changes to the Internal Revenue Code made by P.L. 108-121 and changes that  
11 indirectly affect the provisions applicable to this subchapter made by P.L. 108-121  
12 apply for Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 8.** 71.05 (6) (b) 34. of the statutes is created to read:

14 71.05 (6) (b) 34. Any amount of basic, special, and incentive pay income or  
15 compensation, as those terms are used in 37 USC chapters 3 and 5, received from the  
16 federal government by a person who is a member of a reserve component of the U.S.  
17 armed forces, after being called into active federal service under the provisions of 10  
18 USC 12302 (a) or 10 USC 12304, or into special state service authorized by the  
19 federal department of defense under 32 USC 502 (f), that is paid to the person for a  
20 period of time during which the person is on active duty.

21 **SECTION 9.** 71.22 (4) (j) of the statutes, as affected by 2003 Wisconsin Act 33,  
22 is amended to read:

23 71.22 (4) (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
24 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
25 December 31, 1994, and before January 1, 1996, means the federal Internal

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1 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and  
2 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
3 of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202,  
4 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
5 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
6 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
7 107-181, and P.L. 108-121, and as indirectly affected in the provisions applicable to  
8 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803  
9 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section  
10 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
11 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
12 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
13 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
14 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188,  
15 P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
16 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
17 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121.  
18 The Internal Revenue Code applies for Wisconsin purposes at the same time as for  
19 federal purposes. Amendments to the federal Internal Revenue Code enacted after  
20 December 31, 1994, do not apply to this paragraph with respect to taxable years  
21 beginning after December 31, 1994, and before January 1, 1996, except that  
22 changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-188, excluding  
23 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
24 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of  
25 P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.

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1 107-147, and P.L. 107-181, and P.L. 108-121, and changes that indirectly affect the  
2 provisions applicable to this subchapter made by P.L. 104-7, P.L. 104-188, excluding  
3 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
4 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of  
5 P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
6 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin purposes at the  
7 same time as for federal purposes.

8 **SECTION 10.** 71.22 (4) (k) of the statutes, as affected by 2003 Wisconsin Act 33,  
9 is amended to read:

10 71.22 (4) (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
11 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
12 December 31, 1995, and before January 1, 1997, means the federal Internal  
13 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and  
14 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
15 of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204,  
16 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,  
17 P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L.  
18 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
19 and P.L. 107-181, and P.L. 108-121, and as indirectly affected in the provisions  
20 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding  
21 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514  
22 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
23 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
24 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
25 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.

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1 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
2 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
3 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
4 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
5 107-181, and P.L. 108-121. The Internal Revenue Code applies for Wisconsin  
6 purposes at the same time as for federal purposes. Amendments to the federal  
7 Internal Revenue Code enacted after December 31, 1995, do not apply to this  
8 paragraph with respect to taxable years beginning after December 31, 1995, and  
9 before January 1, 1997, except that changes to the Internal Revenue Code made by  
10 P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188,  
11 P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,  
12 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L.  
13 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
14 108-121, and changes that indirectly affect the provisions applicable to this  
15 subchapter made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
16 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
17 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
18 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
19 107-181, and P.L. 108-121, apply for Wisconsin purposes at the same time as for  
20 federal purposes.

21 **SECTION 11.** 71.22 (4) (L) of the statutes, as affected by 2003 Wisconsin Act 33,  
22 is amended to read:

23 71.22 (4) (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
24 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
25 December 31, 1996, and before January 1, 1998, means the federal Internal

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1 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and  
2 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
3 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
4 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
5 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
6 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
7 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly  
8 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
9 P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and  
10 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.  
11 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
12 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
13 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
14 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
15 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
16 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
17 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
18 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
19 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121. The Internal Revenue Code  
20 applies for Wisconsin purposes at the same time as for federal purposes.  
21 Amendments to the federal Internal Revenue Code enacted after  
22 December 31, 1996, do not apply to this paragraph with respect to taxable years  
23 beginning after December 31, 1996, and before January 1, 1998, except that  
24 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
25 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of



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1 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
2 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
3 108-121, and changes that indirectly affect the provisions applicable to this  
4 subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
5 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
6 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
7 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin  
8 purposes at the same time as for federal purposes.

9 **SECTION 12.** 71.22 (4) (m) of the statutes, as affected by 2003 Wisconsin Act 33,  
10 is amended to read:

11 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
12 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
13 December 31, 1997, and before January 1, 1999, means the federal Internal  
14 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and  
15 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
16 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
17 and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
18 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
19 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
20 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly  
21 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
22 P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and  
23 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.  
24 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
25 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding

**ASSEMBLY BILL 807****SECTION 12**

1 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
2 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
3 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
4 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
5 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
6 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
7 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121.  
8 The Internal Revenue Code applies for Wisconsin purposes at the same time as for  
9 federal purposes. Amendments to the federal Internal Revenue Code enacted after  
10 December 31, 1997, do not apply to this paragraph with respect to taxable years  
11 beginning after December 31, 1997, and before January 1, 1999, except that  
12 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.  
13 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of  
14 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
15 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
16 108-121, and changes that indirectly affect the provisions applicable to this  
17 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
18 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
19 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
20 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin  
21 purposes at the same time as for federal purposes.

22 **SECTION 13.** 71.22 (4) (n) of the statutes, as affected by 2003 Wisconsin Act 33,  
23 is amended to read:

24 71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
25 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after

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1 December 31, 1998, and before January 1, 2000, means the federal Internal  
2 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and  
3 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
4 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
5 and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding  
6 sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L.  
7 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
8 P.L. 107-181, and P.L. 107-276, and P.L. 108-121, and as indirectly affected in the  
9 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647  
10 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
11 of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
12 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
13 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
14 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
15 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
16 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
17 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
18 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
19 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
20 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and  
21 P.L. 108-121. The Internal Revenue Code applies for Wisconsin purposes at the  
22 same time as for federal purposes. Amendments to the federal Internal Revenue  
23 Code enacted after December 31, 1998, do not apply to this paragraph with respect  
24 to taxable years beginning after December 31, 1998, and before January 1, 2000,  
25 except that changes to the Internal Revenue Code made by P.L. 106-36, P.L.

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1 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
2 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
3 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and  
4 P.L. 108-121, and changes that indirectly affect the provisions applicable to this  
5 subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
6 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
7 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
8 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, apply for Wisconsin  
9 purposes at the same time as for federal purposes.

10 **SECTION 14.** 71.22 (4) (o) of the statutes, as affected by 2003 Wisconsin Act 33,  
11 is amended to read:

12 71.22 (4) (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
13 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after  
14 December 31, 1999, and before January 1, 2003, means the federal Internal Revenue  
15 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
16 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
17 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
18 amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.  
19 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22,  
20 P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
21 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
22 108-121, and as indirectly affected in the provisions applicable to this subchapter  
23 by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d)  
24 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
25 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.

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1 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
2 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
3 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.  
4 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
5 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
6 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
7 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
8 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
9 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.  
10 107-276, and P.L. 107-358, and P.L. 108-121. The Internal Revenue Code applies  
11 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
12 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this  
13 paragraph with respect to taxable years beginning after December 31, 1999, and  
14 before January 1, 2003, except that changes to the Internal Revenue Code made by  
15 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.  
16 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116,  
17 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L.  
18 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L. 108-121, and  
19 changes that indirectly affect the provisions applicable to this subchapter made by  
20 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.  
21 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116,  
22 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L.  
23 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L. 108-121, apply for  
24 Wisconsin purposes at the same time as for federal purposes.

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1           **SECTION 15.** 71.22 (4) (p) of the statutes, as created by 2003 Wisconsin Act 33,  
2 is amended to read:

3           71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
4 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after  
5 December 31, 2002, means the federal Internal Revenue Code as amended to  
6 December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
7 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
8 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and  
9 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and section 101 of P.L.  
10 107-147, and as amended by P.L. 108-121, and as indirectly affected in the  
11 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647  
12 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
13 of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
14 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
15 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
16 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
17 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
18 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
19 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
20 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
21 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
22 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L.  
23 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L. 108-121. The  
24 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
25 purposes. Amendments to the federal Internal Revenue Code enacted after

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1 December 31, 2002, do not apply to this paragraph with respect to taxable years  
2 beginning after December 31, 2002, except that changes to the Internal Revenue  
3 Code made by P.L. 108-121 and changes that indirectly affect the provisions  
4 applicable to this subchapter made by P.L. 108-121 apply for Wisconsin purposes at  
5 the same time as for federal purposes.

6 **SECTION 16.** 71.22 (4m) (h) of the statutes, as affected by 2003 Wisconsin Act  
7 33, is amended to read:

8 71.22 (4m) (h) For taxable years that begin after December 31, 1994, and  
9 before January 1, 1996, "Internal Revenue Code", for corporations that are subject  
10 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
11 Internal Revenue Code as amended to December 31, 1994, excluding sections 103,  
12 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and  
13 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding  
14 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
15 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of  
16 P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
17 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly affected in the  
18 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
19 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
20 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
21 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
22 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
23 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
24 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
25 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and

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1 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121~~. The Internal Revenue Code  
2 applies for Wisconsin purposes at the same time as for federal purposes.  
3 Amendments to the Internal Revenue Code enacted after December 31, 1994, do not  
4 apply to this paragraph with respect to taxable years beginning after  
5 December 31, 1994, and before January 1, 1996, except that changes to the Internal  
6 Revenue Code made by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204,  
7 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
8 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
9 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, ~~and P.L.~~  
10 ~~107-181, and P.L. 108-121~~, and changes that indirectly affect the provisions  
11 applicable to this subchapter made by P.L. 104-7, P.L. 104-188, excluding sections  
12 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34,  
13 P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L.  
14 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
15 ~~and P.L. 107-181, and P.L. 108-121~~, apply for Wisconsin purposes at the same time  
16 as for federal purposes.

17 **SECTION 17.** 71.22 (4m) (i) of the statutes, as affected by 2003 Wisconsin Act  
18 33, is amended to read:

19 71.22 (4m) (i) For taxable years that begin after December 31, 1995, and before  
20 January 1, 1997, "Internal Revenue Code", for corporations that are subject to a tax  
21 on unrelated business income under s. 71.26 (1) (a), means the federal Internal  
22 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and  
23 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
24 of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204,  
25 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,



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1 P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L.  
2 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
3 ~~and P.L. 107-181, and P.L. 108-121,~~ and as indirectly affected in the provisions  
4 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
5 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
6 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
7 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
8 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
9 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
10 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
11 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
12 excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121.~~  
13 The Internal Revenue Code applies for Wisconsin purposes at the same time as for  
14 federal purposes. Amendments to the Internal Revenue Code enacted after  
15 December 31, 1995, do not apply to this paragraph with respect to taxable years  
16 beginning after December 31, 1995, and before January 1, 1997, except that  
17 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections  
18 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
19 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
20 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
21 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~ and changes that indirectly  
22 affect the provisions applicable to this subchapter made by P.L. 104-188, excluding  
23 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
24 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
25 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,

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1 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
2 apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 18.** 71.22 (4m) (j) of the statutes, as affected by 2003 Wisconsin Act  
4 33, is amended to read:

5 71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before  
6 January 1, 1998, “Internal Revenue Code”, for corporations that are subject to a tax  
7 on unrelated business income under s. 71.26 (1) (a), means the federal Internal  
8 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and  
9 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
10 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188  
11 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
12 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
13 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
14 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly  
15 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
16 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
17 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
18 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
19 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.  
20 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.  
21 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.  
22 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
23 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
24 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121.

25 The Internal Revenue Code applies for Wisconsin purposes at the same time as for

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1 federal purposes. Amendments to the Internal Revenue Code enacted after  
2 December 31, 1996, do not apply to this paragraph with respect to taxable years  
3 beginning after December 31, 1996, and before January 1, 1998, except that  
4 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
5 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
6 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
7 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
8 108-121, and changes that indirectly affect provisions applicable to this subchapter  
9 made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
10 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
11 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
12 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin  
13 purposes at the same time as for federal purposes.

14 **SECTION 19.** 71.22 (4m) (k) of the statutes, as affected by 2003 Wisconsin Act  
15 33, is amended to read:

16 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and  
17 before January 1, 1999, "Internal Revenue Code", for corporations that are subject  
18 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
19 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,  
20 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
21 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
22 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36,  
23 P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.  
24 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding  
25 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as

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1 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
2 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
3 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
4 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
5 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
6 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
7 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
8 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,  
9 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
10 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
11 107-147, and P.L. 107-181, and P.L. 108-121. The Internal Revenue Code applies  
12 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
13 Internal Revenue Code enacted after December 31, 1997, do not apply to this  
14 paragraph with respect to taxable years beginning after December 31, 1997, and  
15 before January 1, 1999, except that changes to the Internal Revenue Code made by  
16 P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,  
17 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
18 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
19 107-147, and P.L. 107-181, and P.L. 108-121, and changes that indirectly affect the  
20 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.  
21 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of  
22 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
23 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
24 108-121, apply for Wisconsin purposes at the same time as for federal purposes.

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1           **SECTION 20.** 71.22 (4m) (L) of the statutes, as affected by 2003 Wisconsin Act  
2       33, is amended to read:

3           71.22 (**4m**) (L) For taxable years that begin after December 31, 1998, and  
4       before January 1, 2000, "Internal Revenue Code", for corporations that are subject  
5       to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
6       Internal Revenue Code as amended to December 31, 1998, excluding sections 103,  
7       104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
8       (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
9       104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
10      excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
11      of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
12      107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, and as indirectly  
13      affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
14      P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
15      P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
16      102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
17      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.  
18      104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
19      104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
20      105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
21      excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
22      of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
23      107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121. The Internal Revenue  
24      Code applies for Wisconsin purposes at the same time as for federal purposes.  
25      Amendments to the Internal Revenue Code enacted after December 31, 1998, do not

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1 apply to this paragraph with respect to taxable years beginning after  
2 December 31, 1998, and before January 1, 2000, except that changes to the Internal  
3 Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
4 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
5 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
6 107-147, P.L. 107-181, ~~and P.L. 107-276, and P.L. 108-121,~~ and changes that  
7 indirectly affect the provisions applicable to this subchapter made by P.L. 106-36,  
8 P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.  
9 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
10 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, ~~and P.L.~~  
11 ~~107-276, and P.L. 108-121,~~ apply for Wisconsin purposes at the same time as for  
12 federal purposes.

13 **SECTION 21.** 71.22 (4m) (m) of the statutes, as affected by 2003 Wisconsin Act  
14 33, is amended to read:

15 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and  
16 before January 1, 2003, "Internal Revenue Code", for corporations that are subject  
17 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
18 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,  
19 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
20 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
21 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and  
22 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16,  
23 P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
24 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, ~~and P.L. 107-358, and~~  
25 ~~P.L. 108-121,~~ and as indirectly affected in the provisions applicable to this

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1 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
2 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
3 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
4 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
5 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
6 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
7 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
8 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
9 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.  
10 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
11 P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L. 108-121. The  
12 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
13 purposes. Amendments to the Internal Revenue Code enacted after December 31,  
14 1999, do not apply to this paragraph with respect to taxable years beginning after  
15 December 31, 1999, and before January 1, 2003, except that changes to the Internal  
16 Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165  
17 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
18 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of  
19 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
20 108-121, and changes that indirectly affect the provisions applicable to this  
21 subchapter made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
22 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
23 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of  
24 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
25 108-121, apply for Wisconsin purposes at the same time as for federal purposes.

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1           **SECTION 22.** 71.22 (4m) (n) of the statutes, as created by 2003 Wisconsin Act  
2 33, is amended to read:

3           71.22 **(4m)** (n) For taxable years that begin after December 31, 2002, "Internal  
4 Revenue Code," for corporations that are subject to a tax on unrelated business  
5 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended  
6 to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
7 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
8 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and  
9 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and section 101 of P.L.  
10 107-147, and as amended by P.L. 108-121, and as indirectly affected in the  
11 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
12 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
13 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
14 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
15 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
16 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
17 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
18 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
19 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
20 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101  
21 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.  
22 108-121. The Internal Revenue Code applies for Wisconsin purposes at the same  
23 time as for federal purposes. Amendments to the Internal Revenue Code enacted  
24 after December 31, 2002, do not apply to this paragraph with respect to taxable years  
25 beginning after December 31, 2002, except that changes to the Internal Revenue



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1 Code made by P.L. 108-121 and changes that indirectly affect the provisions  
2 applicable to this subchapter made by P.L. 108-121 apply for Wisconsin purposes at  
3 the same time as for federal purposes.

4 **SECTION 23.** 71.26 (2) (b) 10. of the statutes, as affected by 2003 Wisconsin Act  
5 33, is amended to read:

6 71.26 (2) (b) 10. For taxable years that begin after December 31, 1994, and  
7 before January 1, 1996, for a corporation, conduit or common law trust which  
8 qualifies as a regulated investment company, real estate mortgage investment  
9 conduit or real estate investment trust under the Internal Revenue Code as amended  
10 to December 31, 1994, excluding sections 103, 104, and 110 of P.L. 102-227 and  
11 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as  
12 amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605  
13 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277,  
14 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L.  
15 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
16 108-121, and as indirectly affected in the provisions applicable to this subchapter  
17 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,  
18 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
19 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
20 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
21 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of  
22 P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277,  
23 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L.  
24 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
25 108-121, “net income” means the federal regulated investment company taxable

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1 income, federal real estate mortgage investment conduit taxable income or federal  
2 real estate investment trust taxable income of the corporation, conduit or trust as  
3 determined under the Internal Revenue Code as amended to December 31, 1994,  
4 excluding sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d),  
5 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L.  
6 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
7 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
8 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
9 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
10 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
11 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
12 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
13 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
14 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
15 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of  
16 P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277,  
17 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L.  
18 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
19 108-121, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is  
20 required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue  
21 Code as amended to December 31, 1980, shall continue to be depreciated under the  
22 Internal Revenue Code as amended to December 31, 1980, and except that the  
23 appropriate amount shall be added or subtracted to reflect differences between the  
24 depreciation or adjusted basis for federal income tax purposes and the depreciation  
25 or adjusted basis under this chapter of any property disposed of during the taxable

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1 year. The Internal Revenue Code as amended to December 31, 1994, excluding  
2 sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
3 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188,  
4 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
5 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
6 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
7 406 of P.L. 107-147, and P.L. 108-121, and as indirectly affected  
8 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
9 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
10 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
11 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
12 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.  
13 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
14 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
15 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
16 excluding sections 101 and 406 of P.L. 107-147, and P.L. 108-121,  
17 applies for Wisconsin purposes at the same time as for federal purposes.  
18 Amendments to the Internal Revenue Code enacted after December 31, 1994, do not  
19 apply to this subdivision with respect to taxable years that begin after  
20 December 31, 1994, and before January 1, 1996, except that changes made by P.L.  
21 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188,  
22 P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
23 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
24 excluding sections 101 and 406 of P.L. 107-147, and P.L. 108-121,  
25 and changes that indirectly affect the provisions applicable to this subchapter made

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1 by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L.  
2 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
3 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
4 excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~  
5 apply for Wisconsin purposes at the same time as for federal purposes.

6 **SECTION 24.** 71.26 (2) (b) 11. of the statutes, as affected by 2003 Wisconsin Act  
7 33, is amended to read:

8 71.26 (2) (b) 11. For taxable years that begin after December 31, 1995, and  
9 before January 1, 1997, for a corporation, conduit or common law trust which  
10 qualifies as a regulated investment company, real estate mortgage investment  
11 conduit or real estate investment trust under the Internal Revenue Code as amended  
12 to December 31, 1995, excluding sections 103, 104, and 110 of P.L. 102-227 and  
13 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as  
14 amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L.  
15 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.  
16 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134,  
17 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and~~  
18 P.L. 108-121, and as indirectly affected in the provisions applicable to this  
19 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
20 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
21 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
22 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
23 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202,  
24 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
25 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of

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1 P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
2 107-147, and P.L. 107-181, and P.L. 108-121, “net income” means the federal  
3 regulated investment company taxable income, federal real estate mortgage  
4 investment conduit taxable income or federal real estate investment trust taxable  
5 income of the corporation, conduit or trust as determined under the Internal  
6 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and  
7 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
8 of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204,  
9 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,  
10 P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L.  
11 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
12 and P.L. 107-181, and P.L. 108-121, and as indirectly affected in the provisions  
13 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
14 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
15 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
16 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
17 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
18 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
19 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
20 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
21 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
22 except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to  
23 be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as  
24 amended to December 31, 1980, shall continue to be depreciated under the Internal  
25 Revenue Code as amended to December 31, 1980, and except that the appropriate

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1 amount shall be added or subtracted to reflect differences between the depreciation  
2 or adjusted basis for federal income tax purposes and the depreciation or adjusted  
3 basis under this chapter of any property disposed of during the taxable year. The  
4 Internal Revenue Code as amended to December 31, 1995, excluding sections 103,  
5 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and  
6 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123,  
7 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33,  
8 P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and  
9 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of  
10 P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly affected in the  
11 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
12 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
13 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
14 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
15 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
16 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,  
17 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
18 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
19 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
20 applies for Wisconsin purposes at the same time as for federal purposes.  
21 Amendments to the Internal Revenue Code enacted after December 31, 1995, do not  
22 apply to this subdivision with respect to taxable years that begin after  
23 December 31, 1995, and before January 1, 1997, except that changes to the Internal  
24 Revenue Code made by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and  
25 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.

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1 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
2 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
3 107-181, and P.L. 108-121, and changes that indirectly affect the provisions  
4 applicable to this subchapter made by P.L. 104-188, excluding sections 1123, 1202,  
5 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
6 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of  
7 P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
8 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin purposes at the  
9 same time as for federal purposes.

10 **SECTION 25.** 71.26 (2) (b) 12. of the statutes, as affected by 2003 Wisconsin Act  
11 33, is amended to read:

12 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and  
13 before January 1, 1998, for a corporation, conduit or common law trust which  
14 qualifies as a regulated investment company, real estate mortgage investment  
15 conduit, real estate investment trust or financial asset securitization investment  
16 trust under the Internal Revenue Code as amended to December 31, 1996, excluding  
17 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
18 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
19 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,  
20 P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L.  
21 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
22 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
23 108-121, and as indirectly affected in the provisions applicable to this subchapter  
24 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,  
25 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.

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1 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
2 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
3 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
4 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
5 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections  
6 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
7 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
8 107-181, and P.L. 108-121, “net income” means the federal regulated investment  
9 company taxable income, federal real estate mortgage investment conduit taxable  
10 income, federal real estate investment trust or financial asset securitization  
11 investment trust taxable income of the corporation, conduit or trust as determined  
12 under the Internal Revenue Code as amended to December 31, 1996, excluding  
13 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
14 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
15 1605 (d) of P.L. 104-188 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,  
16 P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L.  
17 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
18 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
19 108-121, and as indirectly affected in the provisions applicable to this subchapter  
20 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,  
21 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
22 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
23 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
24 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.



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1 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections  
2 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
3 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
4 107-181, and P.L. 108-121, except that property that, under s. 71.02 (1) (c) 8. to 11.,  
5 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the  
6 Internal Revenue Code as amended to December 31, 1980, shall continue to be  
7 depreciated under the Internal Revenue Code as amended to December 31, 1980,  
8 and except that the appropriate amount shall be added or subtracted to reflect  
9 differences between the depreciation or adjusted basis for federal income tax  
10 purposes and the depreciation or adjusted basis under this chapter of any property  
11 disposed of during the taxable year. The Internal Revenue Code as amended to  
12 December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
13 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123  
14 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.  
15 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,  
16 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
17 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
18 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly affected in the  
19 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
20 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
21 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
22 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
23 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
24 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
25 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.

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1 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
2 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
3 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121~~, applies for  
4 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
5 Internal Revenue Code enacted after December 31, 1996, do not apply to this  
6 subdivision with respect to taxable years that begin after December 31, 1996, and  
7 before January 1, 1998, except that changes to the Internal Revenue Code made by  
8 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,  
9 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
10 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
11 107-147, ~~and P.L. 107-181, and P.L. 108-121~~, and changes that indirectly affect the  
12 provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.  
13 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
14 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
15 107-147, excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L.~~  
16 ~~108-121~~, apply for Wisconsin purposes at the same time as for federal purposes.

17 **SECTION 26.** 71.26 (2) (b) 13. of the statutes, as affected by 2003 Wisconsin Act  
18 33, is amended to read:

19 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and  
20 before January 1, 1999, for a corporation, conduit or common law trust which  
21 qualifies as a regulated investment company, real estate mortgage investment  
22 conduit, real estate investment trust or financial asset securitization investment  
23 trust under the Internal Revenue Code as amended to December 31, 1997, excluding  
24 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
25 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and

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1 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L.  
2 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of  
3 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
4 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
5 108-121, and as indirectly affected in the provisions applicable to this subchapter  
6 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,  
7 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
8 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
9 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
10 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
11 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
12 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
13 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
14 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
15 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, “net income” means the  
16 federal regulated investment company taxable income, federal real estate mortgage  
17 investment conduit taxable income, federal real estate investment trust or financial  
18 asset securitization investment trust taxable income of the corporation, conduit or  
19 trust as determined under the Internal Revenue Code as amended to December 31,  
20 1997, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d),  
21 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204  
22 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206,  
23 P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and  
24 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,  
25 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and

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1 P.L. 108-121, and as indirectly affected in the provisions applicable to this  
2 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
3 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
4 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
5 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
6 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
7 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
8 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
9 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
10 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
11 101 and 406 of P.L. 107-147, ~~and P.L. 107-181~~, and P.L. 108-121, except that  
12 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
13 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
14 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
15 Code as amended to December 31, 1980, and except that the appropriate amount  
16 shall be added or subtracted to reflect differences between the depreciation or  
17 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
18 under this chapter of any property disposed of during the taxable year. The Internal  
19 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and  
20 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
21 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
22 and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
23 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
24 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
25 101 and 406 of P.L. 107-147, ~~and P.L. 107-181~~, and P.L. 108-121, and as indirectly

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1 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
2 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
3 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
5 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.  
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.  
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
8 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections  
9 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
10 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
11 107-181, and P.L. 108-121, applies for Wisconsin purposes at the same time as for  
12 federal purposes. Amendments to the Internal Revenue Code enacted after  
13 December 31, 1997, do not apply to this subdivision with respect to taxable years that  
14 begin after December 31, 1997, and before January 1, 1999, except that changes to  
15 the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
16 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
17 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
18 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
19 and changes that indirectly affect the provisions applicable to this subchapter made  
20 by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,  
21 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
22 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
23 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin purposes at the  
24 same time as for federal purposes.

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1           **SECTION 27.** 71.26 (2) (b) 14. of the statutes, as affected by 2003 Wisconsin Act  
2 33, is amended to read:

3           71.26 **(2)** (b) 14. For taxable years that begin after December 31, 1998, and  
4 before January 1, 2000, for a corporation, conduit or common law trust which  
5 qualifies as a regulated investment company, real estate mortgage investment  
6 conduit, real estate investment trust or financial asset securitization investment  
7 trust under the Internal Revenue Code as amended to December 31, 1998, excluding  
8 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
9 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
10 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230,  
11 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
12 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
13 406 of P.L. 107-147, P.L. 107-181, ~~and P.L. 107-276, and P.L. 108-121,~~ and as  
14 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
15 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
16 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
17 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
18 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
19 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
20 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
21 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
22 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
23 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
24 406 of P.L. 107-147, P.L. 107-181, ~~and P.L. 107-276, and P.L. 108-121,~~ “net income”  
25 means the federal regulated investment company taxable income, federal real estate

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1 mortgage investment conduit taxable income, federal real estate investment trust  
2 or financial asset securitization investment trust taxable income of the corporation,  
3 conduit or trust as determined under the Internal Revenue Code as amended to  
4 December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
5 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123  
6 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.  
7 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
8 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
9 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.  
10 107-276, and P.L. 108-121, and as indirectly affected in the provisions applicable to  
11 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
12 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
13 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
14 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
15 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
16 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
17 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
18 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
19 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
20 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.  
21 107-276, and P.L. 108-121, except that property that, under s. 71.02 (1) (c) 8. to 11.,  
22 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the  
23 Internal Revenue Code as amended to December 31, 1980, shall continue to be  
24 depreciated under the Internal Revenue Code as amended to December 31, 1980,  
25 and except that the appropriate amount shall be added or subtracted to reflect

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1 differences between the depreciation or adjusted basis for federal income tax  
2 purposes and the depreciation or adjusted basis under this chapter of any property  
3 disposed of during the taxable year. The Internal Revenue Code as amended to  
4 December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
5 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123  
6 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.  
7 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
8 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
9 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.  
10 107-276, and P.L. 108-121, and as indirectly affected in the provisions applicable to  
11 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
12 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
13 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
14 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
15 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
16 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
17 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
18 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
19 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
20 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.  
21 107-276, and P.L. 108-121, applies for Wisconsin purposes at the same time as for  
22 federal purposes. Amendments to the Internal Revenue Code enacted after  
23 December 31, 1998, do not apply to this subdivision with respect to taxable years that  
24 begin after December 31, 1998, and before January 1, 2000, except that changes to  
25 the Internal Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.



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1 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
2 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
3 406 of P.L. 107-147, P.L. 107-181, ~~and P.L. 107-276, and P.L. 108-121,~~ and changes  
4 that indirectly affect the provisions applicable to this subchapter made by P.L.  
5 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
6 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
7 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, ~~and P.L.~~  
8 ~~107-276, and P.L. 108-121,~~ apply for Wisconsin purposes at the same time as for  
9 federal purposes.

10 **SECTION 28.** 71.26 (2) (b) 15. of the statutes, as affected by 2003 Wisconsin Act  
11 33, is amended to read:

12 71.26 (2) (b) 15. For taxable years that begin after December 31, 1999, and  
13 before January 1, 2003, for a corporation, conduit or common law trust which  
14 qualifies as a regulated investment company, real estate mortgage investment  
15 conduit, real estate investment trust or financial asset securitization investment  
16 trust under the Internal Revenue Code as amended to December 31, 1999, excluding  
17 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
18 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
19 1605 (d) of P.L. 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding  
20 sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431  
21 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding  
22 sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, ~~and~~  
23 P.L. 107-358, and P.L. 108-121, and as indirectly affected in the provisions  
24 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
25 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,

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1 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
2 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
3 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
4 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
5 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
6 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
7 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
8 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
9 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L.  
10 107–358, P.L. 108–121, “net income” means the federal regulated investment  
11 company taxable income, federal real estate mortgage investment conduit taxable  
12 income, federal real estate investment trust or financial asset securitization  
13 investment trust taxable income of the corporation, conduit or trust as determined  
14 under the Internal Revenue Code as amended to December 31, 1999, excluding  
15 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
16 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
17 1605 (d) of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding  
18 sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431  
19 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding  
20 sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and  
21 P.L. 107–358, P.L. 108–121, and as indirectly affected in the provisions  
22 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
23 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
24 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
25 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

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1 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
2 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
3 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
4 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
5 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
6 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
7 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.  
8 107-358, and P.L. 108-121, except that property that, under s. 71.02 (1) (c) 8. to 11.,  
9 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the  
10 Internal Revenue Code as amended to December 31, 1980, shall continue to be  
11 depreciated under the Internal Revenue Code as amended to December 31, 1980,  
12 and except that the appropriate amount shall be added or subtracted to reflect  
13 differences between the depreciation or adjusted basis for federal income tax  
14 purposes and the depreciation or adjusted basis under this chapter of any property  
15 disposed of during the taxable year. The Internal Revenue Code as amended to  
16 December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
17 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123  
18 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.  
19 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,  
20 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.  
21 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181,  
22 P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L. 108-121, and as indirectly  
23 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
24 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
25 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.

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1 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
2 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.  
3 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
4 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
5 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
6 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
7 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
8 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.  
9 107-276, and P.L. 107-358, and P.L. 108-121, applies for Wisconsin purposes at the  
10 same time as for federal purposes. Amendments to the Internal Revenue Code  
11 enacted after December 31, 1999, do not apply to this subdivision with respect to  
12 taxable years that begin after December 31, 1999, and before January 1, 2003,  
13 except that changes to the Internal Revenue Code made by P.L. 106-230, P.L.  
14 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
15 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
16 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210,  
17 P.L. 107-276, and P.L. 107-358, and P.L. 108-121, and changes that indirectly affect  
18 the provisions applicable to this subchapter made by P.L. 106-230, P.L. 106-554,  
19 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
20 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
21 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.  
22 107-276, and P.L. 107-358, and P.L. 108-121, apply for Wisconsin purposes at the  
23 same time as for federal purposes.

24 **SECTION 29.** 71.26 (2) (b) 16. of the statutes, as created by 2003 Wisconsin Act  
25 33, is amended to read:

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1           71.26 (2) (b) 16. For taxable years that begin after December 31, 2002, for a  
2 corporation, conduit, or common law trust which qualifies as a regulated investment  
3 company, real estate mortgage investment conduit, real estate investment trust, or  
4 financial asset securitization investment trust under the Internal Revenue Code as  
5 amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102-227,  
6 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections  
7 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections  
8 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and section 101  
9 of P.L. 107-147, and as amended by P.L. 108-121, and as indirectly affected in the  
10 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
11 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
12 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
13 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
14 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
15 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
16 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
17 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
18 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
19 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101  
20 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
21 108-121, “net income” means the federal regulated investment company taxable  
22 income, federal real estate mortgage investment conduit taxable income, federal real  
23 estate investment trust or financial asset securitization investment trust taxable  
24 income of the corporation, conduit, or trust as determined under the Internal  
25 Revenue Code as amended to December 31, 2002, excluding sections 103, 104, and

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1 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
3 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.  
4 107-16, and section 101 of P.L. 107-147, and as amended by P.L. 108-121, and as  
5 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
6 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
7 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
8 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
9 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
10 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
11 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
12 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
13 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
14 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
15 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.  
16 107-276, ~~and~~ P.L. 107-358, and P.L. 108-121, except that property that, under s.  
17 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983  
18 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall  
19 continue to be depreciated under the Internal Revenue Code as amended to  
20 December 31, 1980, and except that the appropriate amount shall be added or  
21 subtracted to reflect differences between the depreciation or adjusted basis for  
22 federal income tax purposes and the depreciation or adjusted basis under this  
23 chapter of any property disposed of during the taxable year. The Internal Revenue  
24 Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
25 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,

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1 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,  
2 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and  
3 section 101 of P.L. 107-147, and as amended by P.L. 108-121, and as indirectly  
4 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
5 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
6 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
7 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
8 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.  
9 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
10 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
11 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,  
12 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding  
13 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,  
14 excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and  
15 P.L. 107-358, and P.L. 108-121, applies for Wisconsin purposes at the same time as  
16 for federal purposes. Amendments to the Internal Revenue Code enacted after  
17 December 31, 2002, do not apply to this subdivision with respect to taxable years that  
18 begin after December 31, 2002, except that changes to the Internal Revenue Code  
19 made by P.L. 108-121 and changes that indirectly affect the provisions applicable to  
20 this subchapter made by P.L. 108-121 apply for Wisconsin purposes at the same time  
21 as for federal purposes.

22 **SECTION 30.** 71.34 (1g) (j) of the statutes, as affected by 2003 Wisconsin Act 33,  
23 is amended to read:

24 71.34 (1g) (j) "Internal Revenue Code" for tax-option corporations, for taxable  
25 years that begin after December 31, 1994, and before January 1, 1996, means the

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1 federal Internal Revenue Code as amended to December 31, 1994, excluding  
2 sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
3 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188,  
4 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
5 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
6 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
7 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly affected  
8 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
9 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823  
10 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.  
11 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
12 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
13 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
14 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
15 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34,  
16 P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L.  
17 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
18 and P.L. 107-181, and P.L. 108-121, except that section 1366 (f) (relating to  
19 pass-through of items to shareholders) is modified by substituting the tax under s.  
20 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies  
21 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
22 federal Internal Revenue Code enacted after December 31, 1994, do not apply to this  
23 paragraph with respect to taxable years beginning after December 31, 1994, and  
24 before January 1, 1996, except changes to the Internal Revenue Code made by P.L.  
25 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188,



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1 P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
2 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
3 excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~  
4 and changes that indirectly affect the provisions applicable to this subchapter made  
5 by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L.  
6 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
7 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
8 excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~  
9 apply for Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 31.** 71.34 (1g) (k) of the statutes, as affected by 2003 Wisconsin Act 33,  
11 is amended to read:

12 71.34 (1g) (k) "Internal Revenue Code" for tax-option corporations, for taxable  
13 years that begin after December 31, 1995, and before January 1, 1997, means the  
14 federal Internal Revenue Code as amended to December 31, 1995, excluding  
15 sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
16 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188, excluding  
17 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
18 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
19 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
20 excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~  
21 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
22 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812  
23 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
24 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
25 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.

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1 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
2 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.  
3 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
4 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
5 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
6 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
7 except that section 1366 (f) (relating to pass-through of items to shareholders) is  
8 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and  
9 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time  
10 as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
11 after December 31, 1995, do not apply to this paragraph with respect to taxable years  
12 beginning after December 31, 1995, and before January 1, 1997, except that  
13 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections  
14 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
15 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554, excluding sections  
16 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
17 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and changes that indirectly  
18 affect the provisions applicable to this subchapter made by P.L. 104-188, excluding  
19 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
20 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
21 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
22 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
23 apply for Wisconsin purposes at the same time as for federal purposes.

24 **SECTION 32.** 71.34 (1g) (L) of the statutes, as affected by 2003 Wisconsin Act  
25 33, is amended to read:

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1           71.34 (1g) (L) "Internal Revenue Code" for tax-option corporations, for taxable  
2 years that begin after December 31, 1996, and before January 1, 1998, means the  
3 federal Internal Revenue Code as amended to December 31, 1996, excluding  
4 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
5 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
6 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,  
7 P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L.  
8 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
9 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
10 108-121, and as indirectly affected in the provisions applicable to this subchapter  
11 by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d)  
12 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
13 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
14 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
15 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
16 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.  
17 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
18 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L.  
19 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
20 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
21 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
22 except that section 1366 (f) (relating to pass-through of items to shareholders) is  
23 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and  
24 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time  
25 as for federal purposes. Amendments to the federal Internal Revenue Code enacted

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1 after December 31, 1996, do not apply to this paragraph with respect to taxable years  
2 beginning after December 31, 1996, and before January 1, 1998, except that  
3 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
4 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
5 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
6 107-147, excluding sections 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L.~~  
7 ~~108-121,~~ and changes that indirectly affect the provisions applicable to this  
8 subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
9 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
10 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
11 101 and 406 of P.L. 107-147, ~~and P.L. 107-181, and P.L. 108-121,~~ apply for Wisconsin  
12 purposes at the same time as for federal purposes.

13 **SECTION 33.** 71.34 (1g) (m) of the statutes, as affected by 2003 Wisconsin Act  
14 33, is amended to read:

15 71.34 (1g) (m) "Internal Revenue Code" for tax-option corporations, for taxable  
16 years that begin after December 31, 1997, and before January 1, 1999, means the  
17 federal Internal Revenue Code as amended to December 31, 1997, excluding sections  
18 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
19 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
20 of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
21 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
22 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,  
23 excluding sections 101 and 406 of P.L. 107-147, P.L. ~~and 107-181, and P.L. 108-121,~~  
24 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
25 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812

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1 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
2 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
3 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
5 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.  
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.  
8 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections  
9 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
10 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
11 107-181, and P.L. 108-121, except that section 1366 (f) (relating to pass-through of  
12 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes  
13 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin  
14 purposes at the same time as for federal purposes. Amendments to the federal  
15 Internal Revenue Code enacted after December 31, 1997, do not apply to this  
16 paragraph with respect to taxable years beginning after December 31, 1997, and  
17 before January 1, 1999, except that changes to the Internal Revenue Code made by  
18 P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,  
19 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
20 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
21 107-147, and P.L. 107-181, and P.L. 108-121, and changes that indirectly affect the  
22 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.  
23 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of  
24 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.

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1 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
2 108-121, apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 34.** 71.34 (1g) (n) of the statutes, as affected by 2003 Wisconsin Act  
4 33, is amended to read:

5 71.34 (1g) (n) "Internal Revenue Code" for tax-option corporations, for taxable  
6 years that begin after December 31, 1998, and before January 1, 2000, means the  
7 federal Internal Revenue Code as amended to December 31, 1998, excluding sections  
8 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
9 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
10 of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
11 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
12 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
13 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, and as  
14 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
15 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
16 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.  
17 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
18 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
19 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
20 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
21 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
22 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
23 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
24 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
25 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181,

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1 and P.L. 107-276, and P.L. 108-121, except that section 1366 (f) (relating to  
2 pass-through of items to shareholders) is modified by substituting the tax under s.  
3 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies  
4 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
5 federal Internal Revenue Code enacted after December 31, 1998, do not apply to this  
6 paragraph with respect to taxable years beginning after December 31, 1998, and  
7 before January 1, 2000, except that changes to the Internal Revenue Code made by  
8 P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and  
9 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,  
10 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.  
11 107-276, and P.L. 108-121, and changes that indirectly affect the provisions  
12 applicable to this subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
13 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
14 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
15 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, apply for  
16 Wisconsin purposes at the same time as for federal purposes.

17 **SECTION 35.** 71.34 (1g) (o) of the statutes, as affected by 2003 Wisconsin Act 33,  
18 is amended to read:

19 71.34 (1g) (o) "Internal Revenue Code" for tax-option corporations, for taxable  
20 years that begin after December 31, 1999, and before January 1, 2003, means the  
21 federal Internal Revenue Code as amended to December 31, 1999, excluding sections  
22 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
23 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
24 of P.L. 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding sections  
25 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.

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1 107-16, P.L. 107.22, P.L. 107.116, P.L. 107-134, P.L. 107-147, excluding sections 101  
2 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358,  
3 and P.L. 108-121, and as indirectly affected in the provisions applicable to this  
4 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2)  
5 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008  
6 (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.  
7 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
8 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
9 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
10 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
11 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
12 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
13 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
14 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
15 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210,  
16 P.L. 107-276, and P.L. 107-358, and P.L. 108-121, except that section 1366 (f)  
17 (relating to pass-through of items to shareholders) is modified by substituting the  
18 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue  
19 Code applies for Wisconsin purposes at the same time as for federal purposes.  
20 Amendments to the federal Internal Revenue Code enacted after December 31, 1999,  
21 do not apply to this paragraph with respect to taxable years beginning after  
22 December 31, 1999, and before January 1, 2003, except that changes to the Internal  
23 Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165  
24 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
25 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of



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1 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
2 108-121, and changes that indirectly affect the provisions applicable to this  
3 subchapter made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
4 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
5 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of  
6 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
7 108-121, apply for Wisconsin purposes at the same time as for federal purposes.

8 **SECTION 36.** 71.34 (1g) (p) of the statutes, as created by 2003 Wisconsin Act 33,  
9 is amended to read:

10 71.34 (1g) (p) "Internal Revenue Code" for tax-option corporations, for taxable  
11 years that begin after December 31, 2002, means the federal Internal Revenue Code  
12 as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
13 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
14 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,  
15 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and  
16 section 101 of P.L. 107-147, and as amended by P.L. 108-121, and as indirectly  
17 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
18 P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and  
19 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.  
20 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
21 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
22 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.  
23 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections  
24 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
25 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.

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1 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
2 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
3 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L.  
4 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
5 108-121, except that section 1366 (f) (relating to pass-through of items to  
6 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
7 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
8 at the same time as for federal purposes. Amendments to the federal Internal  
9 Revenue Code enacted after December 31, 2002, do not apply to this paragraph with  
10 respect to taxable years beginning after December 31, 2002, except that changes to  
11 the Internal Revenue Code made by P.L. 108-121 and changes that indirectly affect  
12 the provisions applicable to this subchapter made by P.L. 108-121 apply for  
13 Wisconsin purposes at the same time as for federal purposes.

14 **SECTION 37.** 71.42 (2) (i) of the statutes, as affected by 2003 Wisconsin Act 33,  
15 is amended to read:

16 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before  
17 January 1, 1996, "Internal Revenue Code" means the federal Internal Revenue Code  
18 as amended to December 31, 1994, excluding sections 103, 104, and 110 of P.L.  
19 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
20 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204,  
21 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.  
22 105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
23 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
24 107-181, and P.L. 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203,  
25 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,

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1 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
2 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
3 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.  
4 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
5 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
6 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
7 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
8 except that "Internal Revenue Code" does not include section 847 of the federal  
9 Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes  
10 at the same time as for federal purposes. Amendments to the federal Internal  
11 Revenue Code enacted after December 31, 1994, do not apply to this paragraph with  
12 respect to taxable years beginning after December 31, 1994, and before  
13 January 1, 1996, except that changes to the Internal Revenue Code made by P.L.  
14 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188,  
15 P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-554,  
16 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
17 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
18 and changes that indirectly affect the provisions applicable to this subchapter made  
19 by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L.  
20 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
21 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
22 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
23 apply for Wisconsin purposes at the same time as for federal purposes.

24 **SECTION 38.** 71.42 (2) (j) of the statutes, as affected by 2003 Wisconsin Act 33,  
25 is amended to read:

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1           71.42 (2) (j) For taxable years that begin after December 31, 1995, and before  
2           January 1, 1997, "Internal Revenue Code" means the federal Internal Revenue Code  
3           as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.  
4           102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
5           103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311,  
6           and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
7           105-206, P.L. 105-277, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,  
8           P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
9           107-181, and P.L. 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203,  
10          P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
11          P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.  
12          102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
13          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.  
14          104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
15          104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
16          106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
17          excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
18          except that "Internal Revenue Code" does not include section 847 of the federal  
19          Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes  
20          at the same time as for federal purposes. Amendments to the federal Internal  
21          Revenue Code enacted after December 31, 1995, do not apply to this paragraph with  
22          respect to taxable years beginning after December 31, 1995, and before  
23          January 1, 1997, except that changes to the Internal Revenue Code made by P.L.  
24          104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.  
25          104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.

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1 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L. 107-147,  
2 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121,  
3 and changes that indirectly affect the provisions applicable to this subchapter made  
4 by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188,  
5 P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,  
6 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-134, P.L.  
7 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
8 108-121, apply for Wisconsin purposes at the same time as for federal purposes.

9 **SECTION 39.** 71.42 (2) (k) of the statutes, as affected by 2003 Wisconsin Act 33,  
10 is amended to read:

11 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before  
12 January 1, 1998, "Internal Revenue Code" means the federal Internal Revenue Code  
13 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.  
14 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
15 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
16 amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
17 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
18 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
19 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly affected  
20 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,  
21 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
22 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
23 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
24 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.

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1 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections  
2 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
3 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L.  
4 107-181, and P.L. 108-121, except that "Internal Revenue Code" does not include  
5 section 847 of the federal Internal Revenue Code. The Internal Revenue Code  
6 applies for Wisconsin purposes at the same time as for federal purposes.  
7 Amendments to the federal Internal Revenue Code enacted after  
8 December 31, 1996, do not apply to this paragraph with respect to taxable years  
9 beginning after December 31, 1996, and before January 1, 1998, except that  
10 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
11 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
12 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
13 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
14 108-121, and changes that indirectly affect the provisions applicable to this  
15 subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
16 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
17 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
18 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin  
19 purposes at the same time as for federal purposes.

20 **SECTION 40.** 71.42 (2) (L) of the statutes, as affected by 2003 Wisconsin Act 33,  
21 is amended to read:

22 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before  
23 January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code  
24 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.  
25 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66

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1 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
2 amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170,  
3 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
4 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
5 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, and as indirectly affected  
6 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,  
7 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
8 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
9 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
10 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
11 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
12 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
13 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
14 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
15 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, except that “Internal  
16 Revenue Code” does not include section 847 of the federal Internal Revenue Code.  
17 The Internal Revenue Code applies for Wisconsin purposes at the same time as for  
18 federal purposes. Amendments to the federal Internal Revenue Code enacted after  
19 December 31, 1997, do not apply to this paragraph with respect to taxable years  
20 beginning after December 31, 1997, and before January 1, 1999, except that  
21 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.  
22 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of  
23 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
24 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L.  
25 108-121, and changes that indirectly affect the provisions applicable to this

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1 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.  
2 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
3 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
4 101 and 406 of P.L. 107-147, and P.L. 107-181, and P.L. 108-121, apply for Wisconsin  
5 purposes at the same time as for federal purposes.

6 **SECTION 41.** 71.42 (2) (m) of the statutes, as affected by 2003 Wisconsin Act 33,  
7 is amended to read:

8 71.42 (2) (m) For taxable years that begin after December 31, 1998, and before  
9 January 1, 2000, "Internal Revenue Code" means the federal Internal Revenue Code  
10 as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.  
11 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
12 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
13 amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding  
14 sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L.  
15 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,  
16 P.L. 107-181, and P.L. 107-276, and P.L. 108-121, and as indirectly affected by P.L.  
17 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
18 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.  
19 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
20 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.  
21 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
22 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.  
23 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.  
24 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
25 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections



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1 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121,  
2 except that “Internal Revenue Code” does not include section 847 of the federal  
3 Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes  
4 at the same time as for federal purposes. Amendments to the federal Internal  
5 Revenue Code enacted after December 31, 1998, do not apply to this paragraph with  
6 respect to taxable years beginning after December 31, 1998, and before  
7 January 1, 2000, except that changes to the Internal Revenue Code made by P.L.  
8 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
9 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
10 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.  
11 107-276, and P.L. 108-121, and changes that indirectly affect the provisions  
12 applicable to this subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
13 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
14 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
15 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and P.L. 108-121, apply for  
16 Wisconsin purposes at the same time as for federal purposes.

17 **SECTION 42.** 71.42 (2) (n) of the statutes, as affected by 2003 Wisconsin Act 33,  
18 is amended to read:

19 71.42 (2) (n) For taxable years that begin after December 31, 1999, and before  
20 January 1, 2003, “Internal Revenue Code” means the federal Internal Revenue Code  
21 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
22 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
23 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
24 amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.  
25 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22,

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1 P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
2 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
3 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
4 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
5 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
6 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
7 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
8 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
9 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
10 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
11 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
12 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
13 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.  
14 107-358, and P.L. 108-121, except that “Internal Revenue Code” does not include  
15 section 847 of the federal Internal Revenue Code. The Internal Revenue Code  
16 applies for Wisconsin purposes at the same time as for federal purposes.  
17 Amendments to the federal Internal Revenue Code enacted after December 31, 1999,  
18 do not apply to this paragraph with respect to taxable years beginning after  
19 December 31, 1999, and before January 1, 2003, except that changes to the Internal  
20 Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165  
21 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
22 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of  
23 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, and P.L.  
24 108-121, and changes that indirectly affect the provisions applicable to this  
25 subchapter made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of

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1 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.  
2 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of  
3 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, ~~and~~ P.L. 107-358, and P.L.  
4 108-121, apply for Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 43.** 71.42 (2) (o) of the statutes, as created by 2003 Wisconsin Act 33,  
6 is amended to read:

7 71.42 (2) (o) For taxable years that begin after December 31, 2002, "Internal  
8 Revenue Code" means the federal Internal Revenue Code as amended to  
9 December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
10 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
11 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and  
12 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and section 101 of P.L.  
13 107-147, and as amended by P.L. 108-121, and as indirectly affected by P.L. 99-514,  
14 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
15 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
16 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
17 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
18 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
19 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.  
20 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.  
21 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,  
22 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
23 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.  
24 107-276, ~~and~~ P.L. 107-358, and P.L. 108-121, except that "Internal Revenue Code"  
25 does not include section 847 of the federal Internal Revenue Code. The Internal

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1 Revenue Code applies for Wisconsin purposes at the same time as for federal  
2 purposes. Amendments to the federal Internal Revenue Code enacted after  
3 December 31, 2002, do not apply to this paragraph with respect to taxable years  
4 beginning after December 31, 2002, except that changes to the Internal Revenue  
5 Code made by P.L. 108-121 and changes that indirectly affect the provisions  
6 applicable to this subchapter made by P.L. 108-121 apply for Wisconsin purposes at  
7 the same time as for federal purposes.

8 **SECTION 44. Nonstatutory provisions.**

9 (1) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal  
10 Revenue Code made by P.L. 108-121 apply to the definitions of "Internal Revenue  
11 Code" in chapter 71 of the statutes at the time that those changes apply for federal  
12 income tax purposes.

13 **SECTION 45. Initial applicability.**

14 (1) The treatment of section 71.05 (6) (b) 34. of the statutes first applies to  
15 taxable years beginning on January 1 of the year in which this subsection takes  
16 effect, except that if this subsection takes effect after July 31 the treatment of section  
17 71.05 (6) (b) 34. of the statutes first applies to taxable years beginning on January  
18 1 of the year following the year in which this subsection takes effect.

19 (END)