



2011 ASSEMBLY BILL 5

January 20, 2011 – Introduced by Representatives RIPP, NERISON, TRANEL, A. OTT, PETROWSKI, KESTELL, PETERSEN, RADCLIFFE, BROOKS, TAUCHEN, SPANBAUER, WYNN, LEMAHIEU, STEINEKE, WILLIAMS, MURSAU, BALLWEG, JACQUE, MARKLEIN, NYGREN and STRACHOTA, cosponsored by Senators KAPANKE, HARS DORF, HOPPER, SCHULTZ and MOULTON. Referred to Committee on Agriculture.

1 **AN ACT to amend** 71.07 (3n) (a) 2. (intro.), 71.07 (3n) (a) 6. b., 71.07 (3n) (b) 1.,
2 71.28 (3n) (a) 2. (intro.), 71.28 (3n) (a) 6. b., 71.28 (3n) (b) 1., 71.47 (3n) (a) 2.
3 (intro.), 71.47 (3n) (a) 6. b. and 71.47 (3n) (b) 1. of the statutes; **relating to:** the
4 dairy and livestock farm investment credits.

Analysis by the Legislative Reference Bureau

Under current law, a taxpayer may claim an income and franchise tax credit for amounts paid for dairy or livestock farm modernization and expansion for taxable years beginning after December 31, 2003, and before January 1, 2012. Under this bill, a taxpayer may claim the credit for taxable years beginning after December 31, 2003, and before January 1, 2017.

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

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

5 **SECTION 1.** 71.07 (3n) (a) 2. (intro.) of the statutes is amended to read:
6 71.07 (**3n**) (a) 2. (intro.) “Dairy farm modernization or expansion” means the
7 construction, the improvement, or the acquisition of buildings or facilities, or the

ASSEMBLY BILL 5**SECTION 1**

1 acquisition of equipment, for dairy animal housing, confinement, animal feeding,
2 milk production, or waste management, including the following, if used exclusively
3 related to dairy animals and if acquired and placed in service in this state during
4 taxable years that begin after December 31, 2003, and before January 1, ~~2012~~ 2017:

5 **SECTION 2.** 71.07 (3n) (a) 6. b. of the statutes is amended to read:

6 71.07 (**3n**) (a) 6. b. For taxable years that begin after December 31, 2005, and
7 before January 1, ~~2012~~ 2017, “used exclusively,” related to livestock, dairy animals,
8 or both, means used to the exclusion of all other uses except for use not exceeding 5
9 percent of total use.

10 **SECTION 3.** 71.07 (3n) (b) 1. of the statutes is amended to read:

11 71.07 (**3n**) (b) 1. Subject to the limitations provided in this subsection, for
12 taxable years that begin after December 31, 2003, and before January 1, ~~2012~~ 2017,
13 a claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08
14 an amount equal to 10% of the amount the claimant paid in the taxable year for dairy
15 farm modernization or expansion related to the operation of the claimant’s dairy
16 farm.

17 **SECTION 4.** 71.28 (3n) (a) 2. (intro.) of the statutes is amended to read:

18 71.28 (**3n**) (a) 2. (intro.) “Dairy farm modernization or expansion” means the
19 construction, the improvement, or the acquisition of buildings or facilities, or
20 acquiring equipment, for dairy animal housing, confinement, animal feeding, milk
21 production, or waste management, including the following, if used exclusively
22 related to dairy animals and if acquired and placed in service in this state during
23 taxable years that begin after December 31, 2003, and before January 1, ~~2012~~ 2017:

24 **SECTION 5.** 71.28 (3n) (a) 6. b. of the statutes is amended to read:

ASSEMBLY BILL 5

1 71.28 (3n) (a) 6. b. For taxable years that begin after December 31, 2005, and
2 before January 1, ~~2012~~ 2017, “used exclusively,” related to livestock, dairy animals,
3 or both, means used to the exclusion of all other uses except for use not exceeding 5
4 percent of total use.

5 **SECTION 6.** 71.28 (3n) (b) 1. of the statutes is amended to read:

6 71.28 (3n) (b) 1. Subject to the limitations provided in this subsection, for
7 taxable years that begin after December 31, 2003, and before January 1, ~~2012~~ 2017,
8 a claimant may claim as a credit against the tax imposed under s. 71.23 an amount
9 equal to 10% of the amount the claimant paid in the taxable year for dairy farm
10 modernization or expansion related to the operation of the claimant’s dairy farm.

11 **SECTION 7.** 71.47 (3n) (a) 2. (intro.) of the statutes is amended to read:

12 71.47 (3n) (a) 2. (intro.) “Dairy farm modernization or expansion” means the
13 construction, the improvement, or the acquisition of buildings or facilities, or the
14 acquisition of equipment, for dairy animal housing, confinement, animal feeding,
15 milk production, or waste management, including the following, if used exclusively
16 related to dairy animals and if acquired and placed in service in this state during
17 taxable years that begin after December 31, 2003, and before January 1, ~~2012~~ 2017:

18 **SECTION 8.** 71.47 (3n) (a) 6. b. of the statutes is amended to read:

19 71.47 (3n) (a) 6. b. For taxable years that begin after December 31, 2005, and
20 before January 1, ~~2012~~ 2017, “used exclusively,” related to livestock, dairy animals,
21 or both, means used to the exclusion of all other uses except for use not exceeding 5
22 percent of total use.

23 **SECTION 9.** 71.47 (3n) (b) 1. of the statutes is amended to read:

24 71.47 (3n) (b) 1. Subject to the limitations provided in this subsection, for
25 taxable years that begin after December 31, 2003, and before January 1, ~~2012~~ 2017,

ASSEMBLY BILL 5

SECTION 9

1 a claimant may claim as a credit against the tax imposed under s. 71.43 an amount
2 equal to 10% of the amount the claimant paid in the taxable year for dairy farm
3 modernization or expansion related to the operation of the claimant's dairy farm.

4 (END)