

1969 Senate Bill 111

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CHAPTER 261, LAWS OF 1969

AN ACT to renumber and amend 71.11 (6); and to create 71.11 (6) (b) of the statutes, relating to punitive assessments for attempt to defeat or evade income or franchise tax, and providing a penalty.

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

SECTION 1. 71.11 (6) of the statutes is renumbered 71.11 (6) (a) and amended to read:

71.11 (6) ATTEMPT TO DEFEAT OF EVADE TAX; INCREASED ASSESSMENT.
(a) Any person failing to make an income or franchise tax report *reporting income of the calendar year 1968 or corresponding fiscal year or any prior calendar or fiscal year* or making an incorrect income or franchise tax report *with respect to any such taxable year*, with intent in either case to defeat or evade the income or franchise tax assessment required by law, shall be assessed at twice the normal income or franchise tax rate by the ~~proper taxing authority~~ *department*. Such increased assessment shall be in addition to all other penalties ~~of s. 71.11 in this section~~.

SECTION 2. 71.11 (6) (b) of the statutes is created to read:

71.11 (6) (b) With respect to the calendar year 1969 or corresponding fiscal year and subsequent calendar or fiscal years, any person failing to make an income or franchise tax report or making an incorrect report with intent, in either case, to defeat or evade the income or franchise tax assessment required by law, shall have added to the tax an amount equal to 50% of the tax on the entire underpayment. No amount paid under this paragraph may be deducted from gross income and assessments hereunder

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may be made with respect to decedents. Amounts added to the tax under this paragraph shall be treated as additional taxes for all purposes of assessment and collection.

Approved November 25, 1969.
