



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-4956/1
PJK/RAC/DAK/2/26/01:cx:kjf&pg

RMP
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2001 BILL

needed asap
(by 9 am)
D note

open

1 AN ACT to renumber 71.83 (1) (c); to renumber and amend 40.51 (6); to amend
2 20.145 (1) (g), 20.515 (2) (g), 71.01 (6) (i), 71.01 (6) (j), 71.01 (6) (k), 71.01 (6) (L),
3 71.01 (6) (m), 71.01 (6) (n), 71.01 (6) (o), 71.22 (4) (i), 71.22 (4) (j), 71.22 (4) (k),
4 71.22 (4) (L), 71.22 (4) (m), 71.22 (4) (n), 71.22 (4) (o), 71.22 (4m) (g), 71.22 (4m)
5 (h), 71.22 (4m) (i), 71.22 (4m) (j), 71.22 (4m) (k), 71.22 (4m) (L), 71.22 (4m) (m),
6 71.26 (2) (b) 9., 71.26 (2) (b) 10., 71.26 (2) (b) 11., 71.26 (2) (b) 12., 71.26 (2) (b)
7 13., 71.26 (2) (b) 14., 71.26 (2) (b) 15., 71.34 (1g) (i), 71.34 (1g) (j), 71.34 (1g) (k),
8 71.34 (1g) (L), 71.34 (1g) (m), 71.34 (1g) (n), 71.34 (1g) (o), 71.42 (2) (h), 71.42
9 (2) (i), 71.42 (2) (j), 71.42 (2) (k), 71.42 (2) (L), 71.42 (2) (m), 71.42 (2) (n), 149.12
10 (1) (intro.), 149.14 (6) (a), 609.10 (1) (ac) (intro.), 609.10 (1) (ac) 2., 609.10 (1)
11 (am), 609.10 (1) (b), 609.10 (1) (c), 609.20 (1m) (d), 632.835 (2) (h) and 635.05 (1);
12 and to create 15.735, 16.735, 20.145 (1) (j), 20.145 (1) (q), 25.17 (1) (pd), 25.57,
13 40.51 (6) (b), 40.98 (2) (h), 40.98 (6m), 71.05 (6) (a) 21., 71.05 (6) (b) 34., 71.07
14 (5) (a) 9., 71.83 (1) (c) 2. and 3., 149.12 (4), 149.14 (6) (c), 601.34, 632.835 (2) (bg),

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632.898, 635.25 and 635.30 of the statutes; **relating to:** a loan from the general fund for the private employer health care coverage program, ~~and all employees~~ ~~Health insurance plan~~ requiring the group insurance board to offer an additional health insurance plan for state employees, creating a small employer catastrophic reinsurance board, creating a small employer catastrophic care board, creating a small employer catastrophic care program fund, requiring small employer insurers to specify threshold levels of covered benefits and reimbursing small employer insurers that pay benefits in excess of the threshold, imposing an additional premium on small employer insurance to pay reimbursements to small employer insurers, creating a pilot program for reimbursing small employer insurers for claims costs for certain employees of small employers, authorizing assistance in negotiating prescription drug rebates and reducing prescription drug charges, ~~eliminating the requirement that an employer offering a preferred provider plan also offer a point of service option plan~~ providing notice of the right to independent review, requiring reports, ~~tax-exempt individual employee medical savings accounts established by employers or self-employed persons with the difference between the cost of low-cost, high cost share health care coverage and more costly health care coverage, excluding coverage that is linked to a medical savings account from certain coverage portability provisions, references to the Internal Revenue Code related to medical savings accounts,~~ providing exemptions from

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1 emergency rule procedures, granting rule-making authority, and making
2 appropriations.

Analysis by the Legislative Reference Bureau

Private employer health care coverage program

Under current law, the private employer health care coverage board, attached to the department of employee trust funds (DETF), is required to design and oversee a health care coverage program for employers in the private sector. This bill requires that \$850,000 in moneys received by the office of the commissioner of insurance for general program operations be used as a loan for the private employer health care coverage program. In addition, the bill authorizes DETF to seek funding from any person for the payment of costs of designing, marketing, and contracting for or providing administrative services under the private employer health care coverage program and for repaying the loan to the office of the commissioner of insurance.

Small employer health insurance rates

Under current law, the rates that insurers may charge for health insurance provided to employers that have between two and 50 employees (small employers) are regulated to the extent that rates charged to small employers with similar case characteristics for the same or similar benefits may not vary from the midpoint rate for those small employers by more than 35% of the midpoint rate. Case characteristics include such characteristics of a small employer's employees as age, sex, and geographic location, but do not include health status, occupation, or claim experience. This bill reduces the amount by which rates charged to small employers with similar case characteristics for the same or similar benefits may vary from the midpoint rate to 30% of the midpoint rate.

Small employer catastrophic care

This bill creates a catastrophic care program for employees of small employers, which are, generally, employers with two to 50 employees. The program is to operate for five years, and is to be administered by a small employer catastrophic care board (catastrophic care board), which is attached to the office of the commissioner of insurance for administrative purposes. The catastrophic care board is composed of the commissioner of insurance (commissioner) and 10 other members who represent the medical professions, small employers, and small employer insurers, which are insurers that offer group health benefit plans to small employers. The program will operate in a limited region of the state, which must be determined and described by the commissioner by rule, but which must include Winnebago County.

Under the bill, an employee of a small employer is eligible for coverage under the program if: 1) the small employer is located in the region in which the program operates, 2) the employee is eligible for coverage under a group health benefit plan issued or renewed to the small employer, 3) the employee is determined by the small employer insurer issuing or renewing the group health benefit plan to be eligible in accordance with health status underwriting guidelines established by the

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catastrophic care board, 4) the small employer agrees to enroll the employee in the program, and 5) the small employer pays an additional premium for the employee's coverage under the program. If a small employer does not agree to enroll in the program an employee who is eligible for enrollment, the small employer insurer issuing or renewing the group health benefit plan to the small employer may disregard the rate restrictions in current law for small employer health insurance when determining the premium for the small employer's group health benefit plan.

The covered benefits for an employee enrolled in the program are the same as the benefits under the group health benefit plan for which the employee is eligible. The small employer insurer issuing the group health benefit plan for which the employee is eligible pays or denies payment of the employee's benefit claims. The commissioner, at the direction of the catastrophic care board, reimburses a small employer insurer for benefit claims that are properly paid for employees enrolled in the program. The program is funded by: 1) \$500,000 annually from fees imposed under current law by the office of the commissioner of insurance for insurance-related services to pay for regulation of the insurance industry, 2) assessments, which must equal \$500,000 annually, that are paid by all insurers authorized to sell health insurance in this state, 3) assessments that are paid by health care professionals, facilities, and organizations and that, in conjunction with health care provider payment rate discounts that the commissioner sets by rule, must equal \$500,000 annually, and 4) the additional premiums that must be paid by small employers that agree to enroll under the program employees who are eligible for coverage under the program. The additional premiums, which are determined by the catastrophic care board by rule, must be calculated to cover the anticipated reimbursements to small employer insurers for benefit payments under the program to the extent that the other funding sources will not.

In addition to establishing various procedures for the operation of the program, the catastrophic care board must establish a budget every year, reconcile the program costs with the program funding every year and increase or decrease for the next fiscal year the insurer or provider assessments or provider payment rate discounts if they did not equal the required \$500,000 in the previous year, and provide for a program administrator procurement process.

The bill provides that, if an employee who is enrolled in the small employer catastrophic care program loses eligibility, the employee may apply for coverage under the state's health insurance risk-sharing plan (HIRSP), which provides major medical health insurance coverage for persons who are covered under medicare because they are disabled, persons who have tested positive for HIV, and persons who have been refused coverage, or coverage at an affordable price, in the private health insurance market because of their mental or physical health condition. The HIRSP board may, in its discretion, certify an employee who loses coverage under the small employer catastrophic care program as eligible for coverage under HIRSP even if the employee does not satisfy HIRSP's eligibility requirements. In addition, if such an employee obtains coverage under HIRSP and his or her application was received within 63 days after his or her coverage under the small employer catastrophic care

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program was terminated, he or she is not required to satisfy the six-month preexisting condition exclusion period that applies under HIRSP.

Small employer catastrophic reinsurance

This bill creates a catastrophic reinsurance program for small employers, which are, generally, employers with two to 50 employees. The program is to operate for five years, and is to be administered by a small employer catastrophic reinsurance board (reinsurance board), which is attached to the office of the commissioner of insurance for administrative purposes. The reinsurance board is composed of the commissioner of insurance (commissioner) and eight other members, one of whom is a physician and the rest of whom represent hospitals, small employers, and small employer insurers, which are insurers that offer group health benefit plans to small employers.

Under the program, a small employer insurer must select by December 1 every other year a threshold level of covered benefits, which may be \$50,000 per calendar year, \$100,000 per calendar year, \$150,000 per calendar year, or \$250,000 per calendar year. The threshold level selected by a small employer insurer will apply for the next two calendar years to each individual insured under every group health benefit plan issued by the small employer insurer to a small employer. If in a calendar year a small employer insurer pays benefits on behalf of an insured that exceed the threshold level selected by the small employer insurer, the commissioner, at the direction of the reinsurance board, reimburses the small employer insurer for 80% of the benefits payments that exceed the threshold level.

The reimbursements to the small employer insurers are funded by additional premium amounts paid by small employers for coverage under group health benefit plans. The additional premium amount, which is determined by a rule developed by the reinsurance board and promulgated by the commissioner, is based on a charge per covered individual that will generate sufficient funding to cover the small employer insurer reimbursements of 80% of costs over their selected threshold levels. In addition, during the program's operation, providers of health care services to employees covered under group health benefit plans issued to small employers must accept discounts to their payment rates and may not bill employees receiving the services for the difference. The payment rate discounts are set by the commissioner by rule.

State employee health care coverage

Under current law, the state is required to provide health care coverage for eligible state employees. The state must offer state employees at least two insured or uninsured health care coverage plans that provide substantially equivalent hospital and medical benefits. This bill requires the state also to offer state employees a defined contribution plan that permits employees to choose the level of premiums, deductibles, and co-payments and to select the hospital and medical benefits offered under the plan, but only if the group insurance board determines that such a defined contribution plan is available in the area of the place of employment and approves the plan.

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This bill adopts, for income tax and franchise tax purposes, the changes to the federal Internal Revenue Code made by Public Law 106-554, which includes provisions related to medical savings accounts. The bill also adopts any future changes to the federal law related to medical savings accounts.

This bill provides that if the federal government does not extend the federal law related to medical savings accounts beyond 2002, an employer that offers its employees a choice of health care coverage that includes a policy or plan with cost-sharing provisions of at least \$1,500 for single coverage or at least \$3,000 for family coverage (high cost-share plan) may establish a medical savings account (account) for any employee who chooses the high cost-share plan option. If the employer establishes an account, the employer must deposit in the account the difference between what the employer pays for the high cost-share plan and what the employer would pay for the most expensive plan that the employer provides that is not a high cost-share plan, up to \$2,000 per year for the employee and an additional \$2,000 per year for the employee's spouse and \$1,000 per year for any dependent. The account consists exclusively of those deposits and any interest or other gain on the deposits. The account is the property of the employee so that the employee does not lose the account if he or she changes jobs. The bill also provides that a self-employed person who purchases a high cost-share plan may establish a medical savings account for himself or herself and deposit into it the difference between what he or she pays for the high cost-share plan and what he or she would pay for a more expensive health care plan. The account consists of those deposits and any interest or other gain on the deposits. During the life of the employee or self-employed person, all moneys in the account may be used only to pay medical, dental, or long-term care expenses, or to purchase long-term care insurance.

Certain amounts that are contributed to such an account on behalf of an employee or self-employed person, his or her spouse, and any other dependents are exempt from income taxation. All gains that accrue to such an account are also tax-exempt if the gains are redeposited into the account. The maximum tax-exempt amount that may be contributed to the account each year is \$2,000 for an individual, \$2,000 for his or her spouse, and \$1,000 for each other dependent. These maximum amounts will be increased each year based on increases in the consumer price index.

If any amount is withdrawn from the account and is used for any purpose other than the allowed purposes, the account holder must pay a penalty equal to 10% of the amount that is withdrawn and that is used for a purpose other than an allowed purpose, except that this provision does not apply if the account holder or his or her spouse reaches the age of 59.5 years, if the balance in the account exceeds \$100,000, or after the death of the account holder. In addition, the account holder must pay taxes on any interest, dividends, or other gain that accrues to the account in the year in which an improper withdrawal occurs.

Prescription drug rebates and reduced charges

Currently, under the program of prescription drug assistance for elderly persons, moneys from rebate agreements negotiated with prescription drug manufacturers that sell drugs for prescribed use in this state are used to reimburse

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pharmacies and pharmacists that are required, under the program, to charge eligible persons reduced rates for prescription drugs.

This bill authorizes the department of administration (DOA) or an entity with which DOA contracts, to assist health care providers, insurers, or self-insurers in this state or in conjunction with associations of health care providers, insurers, or self-insurers in states other than Wisconsin to negotiate with manufacturers or labelers rebate agreements or to develop in-state or multistate purchasing groups to negotiate reduced charges for prescription drugs that are produced by the manufacturers or repackaged by the labelers and sold for prescribed use. Under the bill, DOA must submit a report by January 1, 2003, that identifies: 1) the participation by health care providers, insurers, and self-insurers in negotiating rebate agreements and developing in-state or multistate purchasing groups, and 2) strategies that DOA proposes to pursue to reduce costs for prescription drugs. DOA also must submit a report by January 1, 2005, that specifies the status, including success or lack of success, in assisting health care providers, insurers, or self-insurers to negotiate rebate agreements or reduce charges for prescription drugs. Both reports must be submitted to appropriate standing committees of the legislature, to the joint committee on finance, and to the governor.

Notice of independent review

Under current law, an insured under a health benefit plan has the right to obtain, from an independent review organization certified by the commissioner of insurance, an independent review of certain denials of coverage (adverse determinations and experimental treatment determinations). Whenever an adverse determination or experimental treatment determination is made, the insurer is required to provide notice to the insured of his or her right to obtain an independent review, of how to request the review, and of the time within which the review must be requested and is required to provide a current listing of certified independent review organizations.

This bill provides that an insurer is not required to provide the notice about the independent review procedure to an insured who uses the insurer's internal grievance procedure until the insurer sends notice of the disposition of the internal grievance if the health benefit plan issued by the insurer contains a description of the procedure, including a description of the insured's right to obtain an independent review, how to request the review, the time within which the review must be requested, and how to obtain a current listing of certified independent review organizations. In addition, the insurer must provide on its explanation of benefits form a reference to the section of the policy or certificate that contains the description. (An insurer sends its explanation of benefits form to an insured after the insured has received health care services to provide information about the extent to which the insurance covered the services.)

Preferred provider plans

Under current law, an employer with at least 25 full-time employees that offers to any of those employees a health maintenance organization or a preferred provider plan that provides comprehensive health care services must also offer to the employees a standard plan that provides at least substantially equivalent coverage

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of health care expenses and a point-of-service option plan. A health maintenance organization is defined as a health care plan that provides its enrollees with comprehensive health care services performed by providers participating in the plan. A preferred provider plan is defined as a health care plan that, without referral, provides its enrollees with comprehensive or a limited range of health care services, regardless of whether those services are performed by participating or nonparticipating providers. A point-of-service option plan is defined as a health maintenance organization or preferred provider plan that permits an enrollee to obtain covered health care services from a provider that is not a participating provider of the health maintenance organization or preferred provider plan.

This bill eliminates the requirement that an employer that offers a preferred provider plan must also offer a point-of-service option plan, and redefines a point-of-service option plan, for consistency, as a health maintenance organization that permits an enrollee to obtain covered health care services from a provider that is not a participating provider of the health maintenance organization. Under the bill, only an employer that offers a health maintenance organization must also offer a point-of-service option plan. A standard plan, however, must still be offered by an employer that offers either a health maintenance organization or a preferred provider plan that provides comprehensive health care services.

~~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:

1 SECTION 1. 15.735 of the statutes is created to read:

2 **15.735 Same; attached boards.** (1) SMALL EMPLOYER CATASTROPHIC
3 REINSURANCE BOARD. (a) There is created a small employer catastrophic reinsurance
4 board that is attached to the office of the commissioner of insurance under s. 15.03.
5 The board shall consist of the commissioner of insurance and the following members:

6 1. Two members who represent small employers, as defined in s. 635.02 (7), and
7 who are selected from a list of nominees submitted by the National Federation of
8 Independent Business and Wisconsin Independent Businesses, Inc.

9 2. Four members who represent small employer insurers, as defined in s.
10 635.02 (8), 2 of whom are selected from a list of nominees submitted by the Wisconsin

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1 Association of Life and Health Insurers, Inc., and 2 of whom are selected from a list
2 of nominees submitted by the Wisconsin Association of Health Plans.

3 3. One member who is a physician, as defined in s. 448.01 (5), and who is
4 selected from a list of nominees submitted by the State Medical Society of Wisconsin.

5 4. One member who represents hospitals and who is selected from a list of
6 nominees submitted by the Wisconsin Health and Hospital Association.

7 (b) The members under par. (a) 1. to 4. shall be appointed for 3-year terms. Any
8 such member may be removed by the governor for just cause.

9 (2) **SMALL EMPLOYER CATASTROPHIC CARE BOARD.** (a) There is created a small
10 employer catastrophic care board that is attached to the office of the commissioner
11 of insurance under s. 15.03. The board shall consist of the commissioner of insurance
12 and the following members:

13 1. Four members who are small employers, as defined in s. 635.02 (7).

14 2. Four members who are small employer insurers, as defined in s. 635.02 (8).

15 3. Two members who represent the medical professions, at least one of whom
16 is a physician, as defined in s. 448.01 (5).

17 (b) The members under par. (a) 1. to 3. shall be appointed for 3-year terms. Any
18 such member may be removed by the governor for just cause.

19 **SECTION 2.** 16.735 of the statutes is created to read:

20 **16.735 Negotiations for purchase of prescription drugs; rebates. (1)**

21 In this section:

22 (a) "Health care provider" has the meaning given in s. 146.81 (1).

23 (b) "Insurer" has the meaning given in s. 632.745 (15).

24 (c) "Labeler" means a person that receives prescription drugs from a
25 manufacturer or wholesaler, repackages the prescription drugs for later retail sale,

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1 and has a labeler code issued by the federal food and drug administration under 21
2 CFR 207.20 (b).

3 (d) “Manufacturer” means a manufacturer of prescription drugs and includes
4 a subsidiary or affiliate of the manufacturer.

5 (e) “Pharmacist” has the meaning given in s. 450.01 (15).

6 (f) “Prescription drug” has the meaning given in s. 450.01 (20).

7 (g) “Self-insurer” means an employer or labor organization acting solely or
8 acting jointly with a labor organization or an employer to provide employee health
9 care benefits on a self-insured basis.

10 (2) The department or an entity with which the department contracts may do
11 all of the following:

12 (a) Assist a health care provider, insurer, or self-insurer that acts in this state
13 or that seeks to act in conjunction with associations of health care providers,
14 insurers, or self-insurers in states other than this state to negotiate rebate
15 agreements with manufacturers or labelers for prescription drugs that are produced
16 by the manufacturers or repackaged by the labelers and are sold for prescribed use.

17 (b) Assist a health care provider, insurer, or self-insurer to develop an in-state
18 purchasing group or, in conjunction with associations of health care providers,
19 insurers, or self-insurers in states other than this state, a multistate purchasing
20 group, for the direct negotiation with prescription drug manufacturers and labelers
21 of reduced charges for prescription drugs that are produced by the manufacturers or
22 repackaged by the labelers and are sold for prescribed use.

23 **SECTION 3.** 20.145 (1) (g) of the statutes, as affected by 2001 Wisconsin Act 16,
24 is amended to read:

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1 20.145 (1) (g) *General program operations.* The amounts in the schedule for
2 general program operations and to transfer to the small employer catastrophic care
3 program fund \$500,000 annually, by no later than January 30, beginning in 2003 and
4 ending in 2007. Ninety percent of all moneys received under ss. 601.31, 601.32,
5 601.42 (7), 601.45, and 601.47 and by the commissioner for expenses related to
6 insurance company restructurings, except for restructurings specified in par. (h),
7 shall be credited to this appropriation account.

8 **SECTION 4.** 20.145 (1) (j) of the statutes is created to read:

9 20.145 (1) (j) *Small employer insurer catastrophic reimbursements.* All moneys
10 received under s. 635.25 (3) (b), to reimburse small employer insurers as provided in
11 s. 635.25 (2) (c).

12 **SECTION 5.** 20.145 (1) (q) of the statutes is created to read:

13 20.145 (1) (q) *Small employer catastrophic care program reimbursements.*
14 From the small employer catastrophic care program fund, a sum sufficient for
15 reimbursing claims costs under s. 635.30 (6) (c).

16 **SECTION 6.** 20.515 (2) (g) of the statutes is amended to read:

17 20.515 (2) (g) *Private employer health care coverage plan.* All moneys received
18 under subch. X of ch. 40 from employers who elect to participate in the private
19 employer health care coverage program under subch. X of ch. 40 and from any other
20 person under s. 40.98 (2) (h), for the costs of designing, marketing, and contracting
21 for or providing administrative services for the program and for lapsing to the
22 general fund the amounts required under s. 40.98 (6m).

23 **SECTION 7.** 25.17 (1) (pd) of the statutes is created to read:

24 25.17 (1) (pd) Small employer catastrophic care program fund (s. 25.57);

25 **SECTION 8.** 25.57 of the statutes is created to read:

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1 **25.57 Small employer catastrophic care program fund.** There is
2 established a separate nonlapsible trust fund designated as the small employer
3 catastrophic care program fund, to consist of:

4 (1) The moneys transferred under s. 20.145 (1) (g).

5 (2) Insurer assessments established under s. 635.30 (3) (a) 2.

6 (3) Provider assessments established under s. 635.30 (3) (a) 3.

7 (4) Premiums established under s. 635.30 (3) (a) 4.

8 **SECTION 9.** 40.51 (6) of the statutes is renumbered 40.51 (6) (a) and amended
9 to read:

10 40.51 (6) (a) This Except as provided in par. (b), the state shall offer to all of
11 its employees at least 2 insured or uninsured health care coverage plans providing
12 substantially equivalent hospital and medical benefits, including a health
13 maintenance organization or a preferred provider plan, if those health care plans are
14 determined by the group insurance board to be available in the area of the place of
15 employment and are approved by the group insurance board.

16 **SECTION 10.** 40.51 (6) (b) of the statutes is created to read:

17 40.51 (6) (b) Notwithstanding s. 40.03 (6) (c), in addition to the health care
18 coverage plans offered under par. (a), the state shall also offer to all of its employees
19 a defined contribution plan that permits employees to choose the level of premiums,
20 deductibles, and co-payments and to select the hospital and medical benefits offered
21 under the plan, but only if the group insurance board determines that such a defined
22 contribution plan is available in the area of the place of employment and approves
23 the plan.

24 **SECTION 11.** 40.98 (2) (h) of the statutes is created to read:

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1 40.98 (2) (h) The department may seek funding from any person for the
2 payment of costs of designing, marketing, and contracting for or providing
3 administrative services under the health care coverage program and for lapsing to
4 the general fund any amount required under sub. (6m). Any moneys received by the
5 department under this paragraph shall be credited to the appropriation account
6 under s. 20.515 (2) (g).

7 **SECTION 12.** 40.98 (6m) of the statutes is created to read:

8 40.98 (6m) The secretary of administration shall lapse from the appropriation
9 under s. 20.515 (2) (g) to the general fund the amounts necessary to repay the loan
10 under s. 601.34 when the secretary of administration, after consulting with the
11 board, determines that funds in the appropriation under s. 20.515 (2) (g) are
12 sufficient to make the lapse. The amounts that are required to be lapsed under s.
13 20.515 (2) (g) shall equal the amount necessary to pay all principal and interest costs
14 on the loan, less any amount that is lapsed to the general fund under s. 20.515 (2)
15 (a) at the end of the 2001-03 fiscal biennium. The secretary of administration may
16 lapse the amounts under s. 20.515 (2) (g) in installments.

~~17 **SECTION 13.** 71.01 (6) (i) of the statutes is amended to read:~~

~~18 71.01 (6) (i) For taxable years that begin after December 31, 1993, and before
19 January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear
20 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
21 Internal Revenue Code as amended to December 31, 1993, excluding sections 103,
22 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203
23 (d), and 13215 of P.L. 103-66 and as amended by P.L. 103-296, P.L. 103-337, P.L.
24 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
25 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206~~

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1 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected 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.
3 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and
4 110 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, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296,
6 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.
7 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
8 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue
9 Code applies for Wisconsin purposes at the same time as for federal purposes.
10 Amendments to the federal Internal Revenue Code enacted after
11 December 31, 1993, do not apply to this paragraph with respect to taxable years
12 beginning after December 31, 1993, and before January 1, 1995, except that
13 changes to the Internal Revenue Code made by P.L. 103-296, P.L. 103-337, P.L.
14 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
15 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206
16 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the
17 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.
18 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
19 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206
20 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the same time
21 as for federal purposes.

22 **SECTION 14.** 71.01 (6) (j) of the statutes is amended to read:

23 71.01 (6) (j) For taxable years that begin after December 31, 1994, and before
24 January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear
25 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal

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1 Internal Revenue Code as amended to December 31, 1994, excluding sections 103,
2 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and
3 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-117, 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 and, P.L. 105-277, and P.L. 106-554, and as
6 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
7 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.
8 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
9 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
10 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.
11 104-117, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L.
12 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
13 and P.L. 106-554. The Internal Revenue Code applies for Wisconsin purposes at the
14 same time as for federal purposes. Amendments to the federal Internal Revenue
15 Code enacted after December 31, 1994, do not apply to this paragraph with respect
16 to taxable years beginning after December 31, 1994, and before January 1, 1996,
17 except that changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-117,
18 P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
19 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
20 106-554, and changes that indirectly affect the provisions applicable to this
21 subchapter made by P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1202,
22 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.
23 105-206 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the
24 same time as for federal purposes.

25 **SECTION 15.** 71.01 (6) (k) of the statutes is amended to read:

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71.01 (6) (k) For taxable years that begin after December 31, 1995, and before January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, 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. 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected 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, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 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. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, 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. 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1995, do not apply to this paragraph with respect to taxable years beginning after December 31, 1995, and before January 1, 1997, except that changes to the Internal Revenue Code made by P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, 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. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,

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1 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
2 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 16.** 71.01 (6) (L) of the statutes is amended to read:

4 71.01 (6) (L) For taxable years that begin after December 31, 1996, and before
5 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
7 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
8 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277
11 and, P.L. 106-36, and P.L. 106-554, and as indirectly affected by P.L. 99-514, P.L.
12 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
13 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and
14 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
16 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections
17 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) 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 and, P.L. 106-36, and
19 P.L. 106-554. The Internal Revenue Code applies for Wisconsin purposes at the
20 same time as for federal purposes. Amendments to the federal Internal Revenue
21 Code enacted after December 31, 1996, do not apply to this paragraph with respect
22 to taxable years beginning after December 31, 1996, and before January 1, 1998,
23 except that changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34,
24 P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, and changes that
25 indirectly affect the provisions applicable to this subchapter made by P.L. 105-33,

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1 P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, apply
2 for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 17.** 71.01 (6) (m) of the statutes is amended to read:

4 71.01 (6) (m) For taxable years that begin after December 31, 1997, and before
5 January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
7 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
8 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36
11 and, P.L. 106-170, and P.L. 106-554, and as indirectly affected by P.L. 99-514, P.L.
12 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
13 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and
14 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
16 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections
17 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
18 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
19 106-36 and, P.L. 106-170, and P.L. 106-554. The Internal Revenue Code applies for
20 Wisconsin purposes at the same time as for federal purposes. Amendments to the
21 federal Internal Revenue Code enacted after December 31, 1997, do not apply to this
22 paragraph with respect to taxable years beginning after December 31, 1997, and
23 before January 1, 1999, except that changes to the Internal Revenue Code made by
24 P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, and P.L.
25 106-554, 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 and, P.L.
2 106-170, P.L. 106-554, apply for Wisconsin purposes at the same time as for federal
3 purposes.

4 **SECTION 18.** 71.01 (6) (n) of the statutes is amended to read:

5 71.01 (6) (n) For taxable years that begin after December 31, 1998, and before
6 January 1, 2000, 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, 1998, excluding sections 103,
9 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
10 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
11 104-188, and as amended by P.L. 106-36 and, P.L. 106-170, and P.L. 106-554, and
12 as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
13 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, 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.
17 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
18 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
19 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, and P.L.
20 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same
21 time as for federal purposes. Amendments to the federal Internal Revenue Code
22 enacted after December 31, 1998, do not apply to this paragraph with respect to
23 taxable years beginning after December 31, 1998, and before January 1, 2000,
24 except that changes to the Internal Revenue Code made by P.L. 106-36 and, P.L.
25 106-170, and P.L. 106-554, and changes that indirectly affect the provisions

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1 applicable to this subchapter made by P.L. 106-36 and, P.L. 106-170, and P.L.
2 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 19.** 71.01 (6) (o) of the statutes is amended to read:

4 71.01 (6) (o) For taxable years that begin after December 31, 1999, for natural
5 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
6 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
7 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
8 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
9 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
10 amended by P.L. 106-554 and any subsequent federal law related to Archer medical
11 savings accounts under 26 USC 220, and as indirectly affected by P.L. 99-514, P.L.
12 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
13 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and
14 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
16 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections
17 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
18 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
19 106-36 and, P.L. 106-170, P.L. 106-554 and any subsequent federal law related to
20 Archer medical savings accounts under 26 USC 220. The Internal Revenue Code
21 applies for Wisconsin purposes at the same time as for federal purposes.
22 Amendments to the federal Internal Revenue Code enacted after December 31, 1999,
23 do not apply to this paragraph with respect to taxable years beginning after
24 December 31, 1999, except that changes to the Internal Revenue Code made by P.L.
25 106-554 and any subsequent federal law related to Archer medical savings accounts

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1 under 26 USC 220, and changes that indirectly affect the provisions applicable to this
2 subchapter made by P.L. 106-554 and any subsequent federal law related to Archer
3 medical savings accounts under 26 USC 220, apply for Wisconsin purposes at the
4 same time as for federal purposes.

5 **SECTION 20.** 71.05 (6) (a) 21. of the statutes is created to read:

6 71.05 (6) (a) 21. Any principal that is withdrawn, and any accumulated
7 interest, dividends or other gain that accrues, from an account described under s.
8 632.898 during the taxable year in which a withdrawal occurs from such an account
9 if any amount of the money or other assets in the account is withdrawn for any reason
10 other than the payment of medical care expenses or long-term care expenses for the
11 account holder, his or her spouse and all nonspouse dependents, as defined in s.
12 632.898 (1) (b), except that this subdivision does not apply after the death of the
13 account holder.

14 **SECTION 21.** 71.05 (6) (b) 34. of the statutes is created to read:

15 71.05 (6) (b) 34. Any amount that is deposited by an employer on behalf of that
16 employer's employee, or by a self-employed person on his or her own behalf, in an
17 account described under s. 632.898, up to \$2,000 each year for an individual, up to
18 \$2,000 each year for his or her spouse and up to \$1,000 each year for each nonspouse
19 dependent, as defined in s. 632.898 (1) (b), and any interest, dividends or other gain
20 that accrues in the account if the interest, dividends or other gain is redeposited in
21 the account, if the account is used exclusively to pay the medical care expenses and
22 long-term care expenses of the individual, his or her spouse and each minor
23 dependent. For taxable years beginning after December 31, 2003, the maximum
24 amount of a deposit to an account that is created under this subdivision shall be
25 increased each year by a percentage equal to the percentage change between the U.S.

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1 consumer price index for all urban consumers, U.S. city average, for the month of
2 August of the previous year and the U.S. consumer price index for all urban
3 consumers, U.S. city average, for the month of August 2002, as determined by the
4 U.S. department of labor. The revised amounts shall be rounded to the nearest whole
5 number or, if the revised amount is not a whole number and is a multiple of \$0.50,
6 such an amount shall be rounded to the next higher whole number. The department
7 of revenue shall adopt by rule the changes in dollar amounts required under this
8 subdivision every year, and incorporate the changes in the income tax forms and
9 instructions.

10 **SECTION 22.** 71.07(5) (a) 9. of the statutes is created to read:

11 71.07 (5) (a) 9. The amount claimed as a deduction for unreimbursed medical
12 care expenses under section 213 (a) of the Internal Revenue Code to the extent that
13 the funds used to pay for the unreimbursed expenses for which the deduction was
14 claimed were withdrawn from an account described under s. 71.05 (6) (b) 34.

15 **SECTION 23.** 71.22 (4) (i) of the statutes is amended to read:

16 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
17 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
18 December 31, 1993, and before January 1, 1995, means the federal Internal
19 Revenue Code as amended to December 31, 1993, excluding sections 103, 104, and
20 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and
21 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465,
22 P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311
23 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and P.L.
24 105-277, and P.L. 106-554, and as indirectly affected in the provisions applicable to
25 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803

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(d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) 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. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1993, do not apply to this paragraph with respect to taxable years beginning after December 31, 1993, and before January 1, 1995, except that changes to the Internal Revenue Code made by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 24. 71.22 (4) (j) of the statutes is amended to read:

71.22 (4) (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after December 31, 1994, and before January 1, 1996, means the federal Internal Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and

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

25 **SECTION 25.** 71.22 (4) (k) of the statutes is amended to read:

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1 71.22 (4) (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
2 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
3 December 31, 1995, and before January 1, 1997, means the federal Internal
4 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and
5 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)
6 of P.L. 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204,
7 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,
8 P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, 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, 1202,
16 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
17 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue
18 Code applies for Wisconsin purposes at the same time as for federal purposes.
19 Amendments to the federal Internal Revenue Code enacted after
20 December 31, 1995, do not apply to this paragraph with respect to taxable years
21 beginning after December 31, 1995, and before January 1, 1997, except that
22 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections
23 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
24 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes
25 that indirectly affect the provisions applicable to this subchapter made by P.L.

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1 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
2 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
3 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal
4 purposes.

5 **SECTION 26.** 71.22 (4) (L) of the statutes is amended to read:

6 71.22 (4) (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
7 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
8 December 31, 1996, and before January 1, 1998, means the federal Internal
9 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
10 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
11 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
12 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L.
13 106-36, and P.L. 106-554, and as indirectly affected in the provisions applicable to
14 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803
15 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section
16 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
17 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
18 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
19 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
20 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
21 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
22 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554. The Internal Revenue
23 Code applies for Wisconsin purposes at the same time as for federal purposes.
24 Amendments to the federal Internal Revenue Code enacted after
25 December 31, 1996, do not apply to this paragraph with respect to taxable years

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1 beginning after December 31, 1996, and before January 1, 1998, except that
2 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
3 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, and changes that
4 indirectly affect the provisions applicable to this subchapter made by P.L. 105-33,
5 P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, apply
6 for Wisconsin purposes at the same time as for federal purposes.

7 **SECTION 27.** 71.22 (4) (m) of the statutes is amended to read:

8 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
9 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
10 December 31, 1997, and before January 1, 1999, means the federal Internal
11 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and
12 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
13 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
14 and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.
15 106-170, and P.L. 106-554, and as indirectly affected in the provisions applicable to
16 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803
17 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section
18 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
19 P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
20 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
21 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
22 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
23 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
24 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, and P.L.
25 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same

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1 time as for federal purposes. Amendments to the federal Internal Revenue Code
2 enacted after December 31, 1997, do not apply to this paragraph with respect to
3 taxable years beginning after December 31, 1997, and before January 1, 1999,
4 except that changes to the Internal Revenue Code made by P.L. 105-178, P.L.
5 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, and P.L. 106-554, and
6 changes that indirectly affect the provisions applicable to this subchapter made by
7 P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, and P.L.
8 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

9 **SECTION 28.** 71.22 (4) (n) of the statutes is amended to read:

10 71.22 (4) (n) 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, 1998, and before January 1, 2000, means the federal Internal
13 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
14 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
15 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
16 and as amended by P.L. 106-36 and, P.L. 106-170, and P.L. 106-554, and as
17 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
18 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
19 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
20 101-73, 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. 105-178, P.L. 105-206, P.L.

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1 105-277, P.L. 106-36 and, P.L. 106-170, and P.L. 106-554. The Internal Revenue
2 Code applies for Wisconsin purposes at the same time as for federal purposes.
3 Amendments to the federal Internal Revenue Code enacted after December 31, 1998,
4 do not apply to this paragraph with respect to taxable years beginning after
5 December 31, 1998, and before January 1, 2000, except that changes to the Internal
6 Revenue Code made by P.L. 106-36 and, P.L. 106-170, and P.L. 106-554, and
7 changes that indirectly affect the provisions applicable to this subchapter made by
8 P.L. 106-36 and, P.L. 106-170, and P.L. 106-554, apply for Wisconsin purposes at the
9 same time as for federal purposes.

10 **SECTION 29.** 71.22 (4) (o) of the statutes is amended to read:

11 71.22 (4) (o) 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, 1999, means the federal Internal Revenue Code as amended to
14 December 31, 1999, excluding sections 103, 104, and 110 of P.L. 102-227, sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123
16 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.
17 106-554 and any subsequent federal law related to Archer medical savings accounts
18 under 26 USC 220, 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 excluding sections 803 (d) (2)
20 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
21 (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.
22 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
23 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
24 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
25 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605

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1 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
2 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554
3 and any subsequent federal law related to Archer medical savings accounts under
4 26 USC 220. The Internal Revenue Code applies for Wisconsin purposes at the same
5 time as for federal purposes. Amendments to the federal Internal Revenue Code
6 enacted after December 31, 1999, do not apply to this paragraph with respect to
7 taxable years beginning after December 31, 1999, except that changes to the
8 Internal Revenue Code made by P.L. 106-554 and any subsequent federal law
9 related to Archer medical savings accounts under 26 USC 220, and changes that
10 indirectly affect the provisions applicable to this subchapter made by P.L. 106-554
11 and any subsequent federal law related to Archer medical savings accounts under
12 26 USC 220, apply for Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 30.** 71.22 (4m) (g) of the statutes is amended to read:

14 71.22 (4m) (g) For taxable years that begin after December 31, 1993, and
15 before January 1, 1995, "Internal Revenue Code", for corporations that are subject
16 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
17 Internal Revenue Code as amended to December 31, 1993, excluding sections 103,
18 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203
19 (d), and 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L.
20 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
21 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206
22 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the provisions
23 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
24 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
25 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.

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1 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215
2 of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding
3 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
4 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
5 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same
6 time as for federal purposes. Amendments to the Internal Revenue Code enacted
7 after December 31, 1993, do not apply to this paragraph with respect to taxable years
8 beginning after December 31, 1993, and before January 1, 1995, except that
9 changes to the Internal Revenue Code made by P.L. 103-296, P.L. 103-337, P.L.
10 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
11 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206
12 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the
13 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337, P.L.
14 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
15 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206
16 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the same time
17 as for federal purposes.

18 **SECTION 31.** 71.22 (4m) (h) of the statutes is amended to read:

19 71.22 (4m) (h) For taxable years that begin after December 31, 1994, and
20 before January 1, 1996, "Internal Revenue Code", for corporations that are subject
21 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
22 Internal Revenue Code as amended to December 31, 1994, excluding sections 103,
23 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and
24 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding
25 sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.

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

20 **SECTION 32.** 71.22 (4m) (i) of the statutes is amended to read:

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

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1 of PL. 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204,
2 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,
3 P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the
4 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
5 P.L. 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 and, P.L. 105-277, and P.L.
11 106-554. The Internal Revenue Code applies for Wisconsin purposes at the same
12 time as for federal purposes. Amendments to the Internal Revenue Code enacted
13 after December 31, 1995, do not apply to this paragraph with respect to taxable years
14 beginning after December 31, 1995, and before January 1, 1997, except that
15 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections
16 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
17 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes
18 that indirectly affect the provisions applicable to this subchapter made by P.L.
19 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
20 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
21 and P.L. 106-554, apply for Wisconsin purposes at the same time as for federal
22 purposes.

23 **SECTION 33.** 71.22 (4m) (j) of the statutes is amended to read:

24 71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before
25 January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax

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1 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
2 Revenue Code as amended to December 31, 1996, 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. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L.
6 106-36, P.L. 106-554, and as indirectly affected in the provisions applicable to
7 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
8 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
9 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
10 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
11 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
12 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
13 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and
14 P.L. 106-554. The Internal Revenue Code applies for Wisconsin purposes at the
15 same time as for federal purposes. Amendments to the Internal Revenue Code
16 enacted after December 31, 1996, do not apply to this paragraph with respect to
17 taxable years beginning after December 31, 1996, and before January 1, 1998,
18 except that changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34,
19 P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, and changes that
20 indirectly affect provisions applicable to this subchapter made by P.L. 105-33, P.L.
21 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, apply for
22 Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 34.** 71.22 (4m) (k) of the statutes is amended to read:

24 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and
25 ~~before January 1, 1999, "Internal Revenue Code", for corporations that are subject~~

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1 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
2 Internal Revenue Code as amended to December 31, 1997, 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, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36
6 and, P.L. 106-170, and P.L. 106-554, and as indirectly affected in the provisions
7 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
8 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
9 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
10 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
11 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
12 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
13 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
14 105-277, P.L. 106-36 and, P.L. 106-170, and P.L. 106-554. The Internal Revenue
15 Code applies for Wisconsin purposes at the same time as for federal purposes.
16 Amendments to the Internal Revenue Code enacted after December 31, 1997, do not
17 apply to this paragraph with respect to taxable years beginning after
18 December 31, 1997, and before January 1, 1999, except that changes to the Internal
19 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and,
20 P.L. 106-170, and P.L. 106-554, and changes that indirectly affect the provisions
21 applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
22 106-36 and, P.L. 106-170, and P.L. 106-554, apply for Wisconsin purposes at the
23 same time as for federal purposes.

24 **SECTION 35.** 71.22 (4m) (L) of the statutes is amended to read:

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1 71.22 (4m) (L) For taxable years that begin after December 31, 1998, and
2 before January 1, 2000, "Internal Revenue Code", for corporations that are subject
3 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
4 Internal Revenue Code as amended to December 31, 1998, 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. 106-36 and, P.L. 106-170, P.L. 106-554, and as
8 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
9 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
10 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
11 102 318, P.L. 102 486, P.L. 103 66, excluding sections 13113, 13150 (d), 13171 (d),
12 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
13 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
14 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
15 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554.
16 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
17 federal purposes. Amendments to the Internal Revenue Code enacted after
18 December 31, 1998, do not apply to this paragraph with respect to taxable years
19 beginning after December 31, 1998, and before January 1, 2000, except that
20 changes to the Internal Revenue Code made by P.L. 106-36 and, P.L. 106-170, P.L.
21 106-554, and changes that indirectly affect the provisions applicable to this
22 subchapter made by P.L. 106-36 and, P.L. 106-170, P.L. 106-554, apply for
23 Wisconsin purposes at the same time as for federal purposes.

24 **SECTION 36.** 71.22 (4m) (m) of the statutes is amended to read:

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1 ~~71.22 (4m) (m) For taxable years that begin after December 31, 1999, "Internal~~
2 Revenue Code", for corporations that are subject to a tax on unrelated business
3 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
4 to December 31, 1999, 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.
7 106-554 and any subsequent federal law related to Archer medical savings accounts
8 under 26 USC 220, and as indirectly affected in the provisions applicable to this
9 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
10 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
11 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
13 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
14 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
15 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.
16 106-170, P.L. 106-554 and any subsequent federal law related to Archer medical
17 savings accounts under 26 USC 220. The Internal Revenue Code applies for
18 Wisconsin purposes at the same time as for federal purposes. Amendments to the
19 Internal Revenue Code enacted after December 31, 1999, do not apply to this
20 paragraph with respect to taxable years beginning after December 31, 1999, except
21 that changes to the Internal Revenue Code made by P.L. 106-554 and any
22 subsequent federal law related to Archer medical savings accounts under 26 USC
23 220, and changes that indirectly affect the provisions applicable to this subchapter
24 made by P.L. 106-554 and any subsequent federal law related to Archer medical

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1 savings accounts under 26 USC 220, apply for Wisconsin purposes at the same time
2 as for federal purposes.

3 **SECTION 37.** 71.26 (2) (b) 9. of the statutes is amended to read:

4 71.26 (2) (b) 9. For taxable years that begin after December 31, 1993, and
5 before January 1, 1995, for a corporation, conduit or common law trust which
6 qualifies as a regulated investment company, real estate mortgage investment
7 conduit or real estate investment trust under the Internal Revenue Code as amended
8 to December 31, 1993, excluding sections 103, 104, and 110 of P.L. 102-227 and
9 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, and
10 as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding
11 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
12 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
13 106-554, and as indirectly affected in the provisions applicable to this subchapter
14 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,
15 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
16 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
17 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337,
18 P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
19 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206
20 and, P.L. 105-277, and P.L. 106-554, "net income" means the federal regulated
21 investment company taxable income, federal real estate mortgage investment
22 conduit taxable income or federal real estate investment trust taxable income of the
23 corporation, conduit or trust as determined under the Internal Revenue Code as
24 amended to December 31, 1993, excluding sections 103, 104, and 110 of P.L. 102-227
25 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66,

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1 and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding
2 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
3 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
4 106-554, and as indirectly affected in the provisions applicable to this subchapter
5 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,
6 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
7 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
8 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337,
9 P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding
10 section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206
11 and, P.L. 105-277, and P.L. 106-554, except that property that, under s. 71.02 (1) (c)
12 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986
13 under the Internal Revenue Code as amended to December 31, 1980, shall continue
14 to be depreciated under the Internal Revenue Code as amended to
15 December 31, 1980, and except that the appropriate amount shall be added or
16 subtracted to reflect differences between the depreciation or adjusted basis for
17 federal income tax purposes and the depreciation or adjusted basis under this
18 chapter of any property disposed of during the taxable year. The Internal Revenue
19 Code as amended to December 31, 1993, excluding sections 103, 104, and 110 of P.L.
20 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L.
21 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7,
22 excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L.
23 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277,
24 and P.L. 106-554, and as indirectly affected in the provisions applicable to this
25 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,

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1 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
2 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
3 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103-66, P.L. 103-296,
4 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.
5 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
6 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, applies for Wisconsin
7 purposes at the same time as for federal purposes. Amendments to the Internal
8 Revenue Code enacted after December 31, 1993, do not apply to this subdivision with
9 respect to taxable years that begin after December 31, 1993, and before
10 January 1, 1995, except that changes to the Internal Revenue Code made by P.L.
11 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7,
12 P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193,
13 P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and changes that
14 indirectly affect the provisions applicable to this subchapter made by P.L. 103-296,
15 P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L.
16 104-188, excluding section 1311 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
17 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin
18 purposes at the same time as for federal purposes.

19 **SECTION 38.** 71.26 (2) (b) 10. of the statutes is amended to read:

20 71.26 (2) (b) 10. For taxable years that begin after December 31, 1994, and
21 before January 1, 1996, for a corporation, conduit or common law trust which
22 qualifies as a regulated investment company, real estate mortgage investment
23 conduit or real estate investment trust under the Internal Revenue Code as amended
24 to December 31, 1994, excluding sections 103, 104, and 110 of P.L. 102-227 and
25 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as

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1 amended by P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605
2 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L.
3 105-277, and P.L. 106-554, and as indirectly affected in the provisions applicable to
4 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
5 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
6 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
7 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
8 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
9 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34,
10 P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, "net income" means the federal
11 regulated investment company taxable income, federal real estate mortgage
12 investment conduit taxable income or federal real estate investment trust taxable
13 income of the corporation, conduit or trust as determined under the Internal
14 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and
15 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)
16 of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202,
17 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.
18 105-206 and, P.L. 105-277, and P.L. 106-554, 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 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.
25 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, except that

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1 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated
2 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to
3 December 31, 1980, shall continue to be depreciated under the Internal Revenue
4 Code as amended to December 31, 1980, and except that the appropriate amount
5 shall be added or subtracted to reflect differences between the depreciation or
6 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
7 under this chapter of any property disposed of during the taxable year. The Internal
8 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and
9 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)
10 of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188, excluding sections 1202,
11 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.
12 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the
13 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
14 P.L. 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 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.
19 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, applies for
20 Wisconsin purposes at the same time as for federal purposes. Amendments to the
21 Internal Revenue Code enacted after December 31, 1994, do not apply to this
22 subdivision with respect to taxable years that begin after December 31, 1994, and
23 before January 1, 1996, except that changes made by P.L. 104-7, P.L. 104-188,
24 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.
25 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L. 106-554, and

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

6 **SECTION 39.** 71.26 (2) (b) 11. of the statutes is amended to read:

7 71.26 (2) (b) 11. For taxable years that begin after December 31, 1995, and
8 before January 1, 1997, for a corporation, conduit or common law trust which
9 qualifies as a regulated investment company, real estate mortgage investment
10 conduit or real estate investment trust under the Internal Revenue Code as amended
11 to December 31, 1995, excluding sections 103, 104, and 110 of P.L. 102-227 and
12 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as
13 amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L.
14 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and,
15 P.L. 105-277, and P.L. 106-554, and as indirectly affected in the provisions
16 applicable to this subchapter by P.L. 99-514, P.L. 100-203, 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, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,
22 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
23 106-554, "net income" means the federal regulated investment company taxable
24 income, federal real estate mortgage investment conduit taxable income or federal
25 real estate investment trust taxable income of the corporation, conduit or trust as

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1 determined under the Internal Revenue Code as amended to December 31, 1995,
2 excluding sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d),
3 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188,
4 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,
5 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
6 106-554, and as indirectly affected in the provisions applicable to this subchapter
7 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,
8 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
9 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
10 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
11 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and
12 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
13 105-206 and, P.L. 105-277 and P.L. 106-554, except that property that, under s.
14 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983
15 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall
16 continue to be depreciated under the Internal Revenue Code as amended to
17 December 31, 1980, and except that the appropriate amount shall be added or
18 subtracted to reflect differences between the depreciation or adjusted basis for
19 federal income tax purposes and the depreciation or adjusted basis under this
20 chapter of any property disposed of during the taxable year. The Internal Revenue
21 Code as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.
22 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
23 103-66, and as amended by P.L. 104-188, excluding sections 1123, 1202, 1204, 1311,
24 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.
25 105-206 and, P.L. 105-277, and P.L. 106-554, and as indirectly affected in the

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

19 **SECTION 40.** 71.26 (2) (b) 12. of the statutes is amended to read:

20 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and
21 before January 1, 1998, for a corporation, conduit or common law trust which
22 qualifies as a regulated investment company, real estate mortgage investment
23 conduit, real estate investment trust or financial asset securitization investment
24 trust under the Internal Revenue Code as amended to December 31, 1996, excluding
25 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),

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1 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
2 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,
3 P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, and as indirectly affected in the
4 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
5 P.L. 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 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
10 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and,
11 P.L. 106-36, and P.L. 106-554, "net income" means the federal regulated investment
12 company taxable income, federal real estate mortgage investment conduit taxable
13 income, federal real estate investment trust or financial asset securitization
14 investment trust taxable income of the corporation, conduit or trust as determined
15 under the Internal Revenue Code as amended to December 31, 1996, excluding
16 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
17 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
18 1605 (d) of P.L. 104-188 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,
19 P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, and as indirectly affected in the
20 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
21 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, 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. 104-188,
25 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.

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1 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and,
2 P.L. 106-36, and P.L. 106-554, except that property that, under s. 71.02 (1) (c) 8. to
3 N., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under
4 the Internal Revenue Code as amended to December 31, 1980, shall continue to be
5 depreciated under the Internal Revenue Code as amended to December 31, 1980,
6 and except that the appropriate amount shall be added or subtracted to reflect
7 differences between the depreciation or adjusted basis for federal income tax
8 purposes and the depreciation or adjusted basis under this chapter of any property
9 disposed of during the taxable year. The Internal Revenue Code as amended to
10 December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102-227, sections
11 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, and sections 1123
12 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.
13 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554,
14 and as indirectly affected in the provisions applicable to this subchapter by P.L.
15 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
16 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
17 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
18 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
19 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
20 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
21 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L. 106-554, applies for
22 Wisconsin purposes at the same time as for federal purposes. Amendments to the
23 Internal Revenue Code enacted after December 31, 1996, do not apply to this
24 subdivision with respect to taxable years that begin after December 31, 1996, and
25 before January 1, 1998, except that changes to the Internal Revenue Code made by

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1 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L. 106-36, and P.L.
2 106-554, and changes that indirectly affect the provisions applicable to this
3 subchapter made by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277 and, P.L.
4 106-36, and P.L. 106-554, apply for Wisconsin purposes at the same time as for
5 federal purposes.

6 **SECTION 41.** 71.26 (2) (b) 13. of the statutes is amended to read:

7 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and
8 before January 1, 1999, for a corporation, conduit or common law trust which
9 qualifies as a regulated investment company, real estate mortgage investment
10 conduit, real estate investment trust or financial asset securitization investment
11 trust under the Internal Revenue Code as amended to December 31, 1997, excluding
12 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
13 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
14 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L.
15 105-277, P.L. 106-36 and, P.L. 106-170, and P.L. 106-554, and as indirectly affected
16 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
17 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
18 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
19 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
20 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.
21 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
22 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
23 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, and P.L. 106-554, "net
24 income" means the federal regulated investment company taxable income, federal
25 real estate mortgage investment conduit taxable income, federal real estate

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

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1 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170, and P.L.
2 106-554, and as indirectly affected in the provisions applicable to this subchapter
3 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,
4 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
5 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
6 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
7 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
8 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
9 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L. 106-170,
10 and P.L. 106-554, applies for Wisconsin purposes at the same time as for federal
11 purposes. Amendments to the Internal Revenue Code enacted after December 31,
12 1997, do not apply to this subdivision with respect to taxable years that begin after
13 December 31, 1997, and before January 1, 1999, except that changes to the Internal
14 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and,
15 P.L. 106-170, and P.L. 106-554, and changes that indirectly affect the provisions
16 applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
17 106-36 and and, P.L. 106-170, and P.L. 106-554, apply for Wisconsin purposes at the
18 same time as for federal purposes.

19 **SECTION 42.** 71.26 (2) (b) 14. of the statutes is amended to read:

20 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and
21 before January 1, 2000, for a corporation, conduit or common law trust which
22 qualifies as a regulated investment company, real estate mortgage investment
23 conduit, real estate investment trust or financial asset securitization investment
24 trust under the Internal Revenue Code as amended to December 31, 1998, excluding
25 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),

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