

1 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and
2 before January 1, 1999, for a corporation, conduit or common law trust which
3 qualifies as a regulated investment company, real estate mortgage investment
4 conduit, real estate investment trust or financial asset securitization investment
5 trust under the Internal Revenue Code as amended to December 31, 1997, excluding
6 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
7 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
8 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L.
9 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
10 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,
11 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and
12 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
13 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
14 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
15 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
16 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
17 104–7, 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, P.L. 106–170, P.L. 106–554,
20 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section
21 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
22 107–147, and P.L. 107–181, “net income” means the federal regulated investment
23 company taxable income, federal real estate mortgage investment conduit taxable
24 income, federal real estate investment trust or financial asset securitization
25 investment trust taxable income of the corporation, conduit or trust as determined

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

1 December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102–227, sections
2 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, and sections 1123
3 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L.
4 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,
5 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section
6 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
7 107–147, and P.L. 107–181, and as indirectly affected in the provisions applicable to
8 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
9 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
10 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
11 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
12 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
13 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
14 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
15 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
16 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,
17 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, applies for
18 Wisconsin purposes at the same time as for federal purposes. Amendments to the
19 Internal Revenue Code enacted after December 31, 1997, do not apply to this
20 subdivision with respect to taxable years that begin after December 31, 1997, and
21 before January 1, 1999, except that changes to the Internal Revenue Code made by
22 P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,
23 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section
24 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
25 107–147, and P.L. 107–181, and changes that indirectly affect the provisions

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

6 **SECTION 1582dv.** 71.26 (2) (b) 14. of the statutes is amended to read:

7 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and
8 before January 1, 2000, 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, 1998, 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. 106–36, P.L. 106–170, P.L. 106–230,
15 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16,
16 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
17 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and as indirectly
18 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
19 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,
20 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
21 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
22 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.
23 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
24 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
25 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,

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

1 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980,
2 shall continue to be depreciated under the Internal Revenue Code as amended to
3 December 31, 1980, and except that the appropriate amount shall be added or
4 subtracted to reflect differences between the depreciation or adjusted basis for
5 federal income tax purposes and the depreciation or adjusted basis under this
6 chapter of any property disposed of during the taxable year. The Internal Revenue
7 Code as amended to December 31, 1998, 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. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding
11 sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L.
12 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
13 P.L. 107–181, and P.L. 107–276, and as indirectly affected in the provisions
14 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
15 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
16 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
17 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
18 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
19 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
20 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
21 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections
22 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16,
23 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.
24 107–181, and P.L. 107–276, applies for Wisconsin purposes at the same time as for
25 federal purposes. Amendments to the Internal Revenue Code enacted after

1 December 31, 1998, do not apply to this subdivision with respect to taxable years that
2 begin after December 31, 1998, and before January 1, 2000, except that changes to
3 the Internal Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
4 106-554, excluding sections 162 and 165 of P.L. 106-554, and P.L. 107-16, excluding
5 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and
6 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, and changes that indirectly
7 affect the provisions applicable to this subchapter made by P.L. 106-36, P.L.
8 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
9 and P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,
10 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276,
11 apply for Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 1582dw.** 71.26 (2) (b) 15. of the statutes is amended to read:

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

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

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

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

23 **SECTION 1582dx.** 71.26 (2) (b) 16. of the statutes is created to read:

24 71.26 (2) (b) 16. For taxable years that begin after December 31, 2002, for a
25 corporation, conduit, or common law trust which qualifies as a regulated investment

1 company, real estate mortgage investment conduit, real estate investment trust, or
2 financial asset securitization investment trust under the Internal Revenue Code as
3 amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102–227,
4 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections
5 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections
6 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and section 101
7 of P.L. 107–147, 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, P.L.
15 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
16 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.
17 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L.
18 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, “net income” means the
19 federal regulated investment company taxable income, federal real estate mortgage
20 investment conduit taxable income, federal real estate investment trust or financial
21 asset securitization investment trust taxable income of the corporation, conduit, or
22 trust as determined under the Internal Revenue Code as amended to December 31,
23 2002, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d),
24 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f),
25 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L.

1 106–554, P.L. 106–573, section 431 of P.L. 107–16, and section 101 of P.L. 107–147,
2 and as indirectly affected in the provisions applicable to this subchapter by P.L.
3 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
4 101–239, 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, P.L. 106–170, P.L.
10 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,
11 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
12 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.
13 107–210, P.L. 107–276, and P.L. 107–358, except that property that, under s. 71.02
14 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986
15 under the Internal Revenue Code as amended to December 31, 1980, shall continue
16 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, 2002, excluding sections 103, 104, and 110 of P.L.
22 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
23 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,
24 sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and
25 section 101 of P.L. 107–147, and as indirectly affected in the provisions applicable to

1 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
2 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
3 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
4 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
5 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
6 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
7 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
8 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
9 P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
10 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L.
11 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, applies for
12 Wisconsin purposes at the same time as for federal purposes. Amendments to the
13 Internal Revenue Code enacted after December 31, 2002, do not apply to this
14 subdivision with respect to taxable years that begin after December 31, 2002.

15 **SECTION 1583.** 71.30 (10) (h) (intro.) of the statutes is amended to read:

16 71.30 (10) (h) *Certification of amounts.* (intro.) Annually, on or before
17 September 15, the secretary of revenue shall certify to the department of natural
18 resources, and the department of administration ~~and the state treasurer:~~

19 **SECTION 1583da.** 71.34 (1g) (i) of the statutes is repealed.

20 **SECTION 1583db.** 71.34 (1g) (j) of the statutes is amended to read:

21 71.34 (1g) (j) “Internal Revenue Code” for tax-option corporations, for taxable
22 years that begin after December 31, 1994, and before January 1, 1996, means the
23 federal Internal Revenue Code as amended to December 31, 1994, excluding
24 sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),
25 13174, and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188,

1 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
2 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554, excluding
3 sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147, excluding sections
4 101 and 406 of P.L. 107–147, and P.L. 107–181, and 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, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.
14 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
15 and P.L. 107–181, except that section 1366 (f) (relating to pass-through of items to
16 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
17 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
18 at the same time as for federal purposes. Amendments to the federal Internal
19 Revenue Code enacted after December 31, 1994, do not apply to this paragraph with
20 respect to taxable years beginning after December 31, 1994, and before
21 January 1, 1996, except changes to the Internal Revenue Code made by P.L. 104–7,
22 P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
23 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,
24 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,
25 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and changes that

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

7 **SECTION 1583dc.** 71.34 (1g) (k) of the statutes is amended to read:

8 71.34 (1g) (k) “Internal Revenue Code” for tax-option corporations, for taxable
9 years that begin after December 31, 1995, and before January 1, 1997, means the
10 federal Internal Revenue Code as amended to December 31, 1995, excluding
11 sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),
12 13174, and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding
13 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
14 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,
15 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,
16 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly
17 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
18 P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
19 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.
20 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
21 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
22 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
23 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
24 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
25 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554, excluding

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

20 **SECTION 1583dd.** 71.34 (1g) (L) of the statutes is amended to read:

21 71.34 (1g) (L) “Internal Revenue Code” for tax-option corporations, for taxable
22 years that begin after December 31, 1996, and before January 1, 1998, means the
23 federal Internal Revenue Code as amended to December 31, 1996, excluding
24 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
25 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and

1 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206,
2 P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L.
3 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.
4 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as
5 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
6 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
7 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of 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. 105–206, P.L. 105–277, P.L.
14 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.
15 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding
16 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except that section 1366 (f)
17 (relating to pass-through of items to shareholders) is modified by substituting the
18 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue
19 Code applies for Wisconsin purposes at the same time as for federal purposes.
20 Amendments to the federal Internal Revenue Code enacted after
21 December 31, 1996, do not apply to this paragraph with respect to taxable years
22 beginning after December 31, 1996, and before January 1, 1998, except that
23 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.
24 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
25 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,

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

8 **SECTION 1583de.** 71.34 (1g) (m) of the statutes is amended to read:

9 71.34 (1g) (m) “Internal Revenue Code” for tax-option corporations, for taxable
10 years that begin after December 31, 1997, and before January 1, 1999, means the
11 federal Internal Revenue Code as amended to December 31, 1997, excluding sections
12 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
13 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
14 of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
15 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
16 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,
17 excluding sections 101 and 406 of P.L. 107–147, P.L. and 107–181, and as indirectly
18 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
19 P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
20 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.
21 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
22 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
23 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
24 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
25 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.

1 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
2 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
3 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,
4 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except that section
5 1366 (f) (relating to pass-through of items to shareholders) is modified by
6 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
7 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
8 purposes. Amendments to the federal Internal Revenue Code enacted after
9 December 31, 1997, do not apply to this paragraph with respect to taxable years
10 beginning after December 31, 1997, and before January 1, 1999, except that
11 changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206, P.L.
12 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of
13 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,
14 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and
15 changes that indirectly affect the provisions applicable to this subchapter made by
16 P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,
17 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section
18 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
19 107–147, and P.L. 107–181, apply for Wisconsin purposes at the same time as for
20 federal purposes.

21 **SECTION 1583df.** 71.34 (1g) (n) of the statutes is amended to read:

22 71.34 (1g) (n) “Internal Revenue Code” for tax-option corporations, for taxable
23 years that begin after December 31, 1998, and before January 1, 2000, means the
24 federal Internal Revenue Code as amended to December 31, 1998, excluding sections
25 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and

1 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
2 of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.
3 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding
4 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and
5 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and as indirectly affected in the
6 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
7 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
8 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.
9 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and
10 110 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, P.L.
15 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
16 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,
17 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276,
18 except that section 1366 (f) (relating to pass-through of items to shareholders) is
19 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
20 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
21 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
22 after December 31, 1998, do not apply to this paragraph with respect to taxable years
23 beginning after December 31, 1998, and before January 1, 2000, except that
24 changes to the Internal Revenue Code made by P.L. 106–36, P.L. 106–170, P.L.
25 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.

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

8 **SECTION 1583dg.** 71.34 (1g) (o) of the statutes is amended to read:

9 71.34 (1g) (o) “Internal Revenue Code” for tax–option corporations, for taxable
10 years that begin after December 31, 1999, and before January 1, 2003, means the
11 federal Internal Revenue Code as amended to December 31, 1999, excluding sections
12 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
13 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
14 of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding sections
15 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of
16 P.L. 107–16, P.L. 107.22, P.L. 107.116, P.L. 107–134, P.L. 107–147, excluding sections
17 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L.
18 107–358, and as indirectly affected in the provisions applicable to this subchapter
19 by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d)
20 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
21 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
22 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
23 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
24 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.
25 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

1 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
2 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
3 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16,
4 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
5 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,
6 P.L. 107–276, and P.L. 107–358, except that section 1366 (f) (relating to
7 pass-through of items to shareholders) is modified by substituting the tax under s.
8 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies
9 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
10 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this
11 paragraph with respect to taxable years beginning after December 31, 1999, and
12 before January 1, 2003, except that changes to the Internal Revenue Code made by
13 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.
14 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,
15 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.
16 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, and changes that indirectly
17 affect the provisions applicable to this subchapter made by P.L. 106–230, P.L.
18 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L.
19 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
20 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181,
21 P.L. 107–210, P.L. 107–276, and P.L. 107–358, apply for Wisconsin purposes at the
22 same time as for federal purposes.

23 **SECTION 1583dh.** 71.34 (1g) (p) of the statutes is created to read:

24 71.34 (1g) (p) “Internal Revenue Code” for tax-option corporations, for taxable
25 years that begin after December 31, 2002, means the federal Internal Revenue Code

1 as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.
2 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
3 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,
4 sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and
5 section 101 of P.L. 107–147, and as indirectly affected in the provisions applicable to
6 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803
7 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section
8 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
9 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
10 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
11 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
12 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
13 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
14 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.
15 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,
16 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
17 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
18 107–276, and P.L. 107–358, except that section 1366 (f) (relating to pass-through of
19 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
20 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin
21 purposes at the same time as for federal purposes. Amendments to the federal
22 Internal Revenue Code enacted after December 31, 2002, do not apply to this
23 paragraph with respect to taxable years beginning after December 31, 2002.

24 **SECTION 1583di.** 71.42 (2) (h) of the statutes is repealed.

25 **SECTION 1583dj.** 71.42 (2) (i) of the statutes is amended to read:

1 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before
2 January 1, 1996, “Internal Revenue Code” means the federal Internal Revenue Code
3 as amended to December 31, 1994, excluding sections 103, 104, and 110 of P.L.
4 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
5 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204,
6 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.
7 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.
8 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
9 and P.L. 107–181, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.
10 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
11 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
12 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
13 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
14 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
15 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,
16 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,
17 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except that
18 “Internal Revenue Code” does not include section 847 of the federal Internal Revenue
19 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time
20 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
21 after December 31, 1994, do not apply to this paragraph with respect to taxable years
22 beginning after December 31, 1994, and before January 1, 1996, except that
23 changes to the Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding
24 sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
25 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and

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

9 **SECTION 1583dk.** 71.42 (2) (j) of the statutes is amended to read:

10 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before
11 January 1, 1997, “Internal Revenue Code” means the federal Internal Revenue Code
12 as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.
13 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
14 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311,
15 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.
16 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.
17 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,
18 and P.L. 107–181, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.
19 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
20 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
21 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
22 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.
23 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
24 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and
25 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L.

1 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except
2 that “Internal Revenue Code” does not include section 847 of the federal Internal
3 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the
4 same time as for federal purposes. Amendments to the federal Internal Revenue
5 Code enacted after December 31, 1995, do not apply to this paragraph with respect
6 to taxable years beginning after December 31, 1995, and before January 1, 1997,
7 except that changes to the Internal Revenue Code made by P.L. 104–188, excluding
8 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
9 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,
10 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,
11 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and changes that
12 indirectly affect the provisions applicable to this subchapter made by P.L. 104–188,
13 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191,
14 P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L.
15 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,
16 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, apply for
17 Wisconsin purposes at the same time as for federal purposes.

18 **SECTION 1583dL.** 71.42 (2) (k) of the statutes is amended to read:

19 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before
20 January 1, 1998, “Internal Revenue Code” means the federal Internal Revenue Code
21 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.
22 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
23 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
24 amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
25 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding

1 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and
2 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected by P.L. 99–514, P.L.
3 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
4 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
5 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
6 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
7 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
8 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
9 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of
10 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,
11 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181,
12 except that “Internal Revenue Code” does not include section 847 of the federal
13 Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes
14 at the same time as for federal purposes. Amendments to the federal Internal
15 Revenue Code enacted after December 31, 1996, do not apply to this paragraph with
16 respect to taxable years beginning after December 31, 1996, and before
17 January 1, 1998, except that changes to the Internal Revenue Code made by P.L.
18 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,
19 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section
20 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.
21 107–147, and P.L. 107–181, and changes that indirectly affect the provisions
22 applicable to this subchapter made by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L.
23 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
24 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,

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

3 **SECTION 1583dm.** 71.42 (2) (L) of the statutes is amended to read:

4 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before
5 January 1, 1999, “Internal Revenue Code” means the federal Internal Revenue Code
6 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.
7 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
8 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
9 amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170,
10 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16,
11 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections
12 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected by P.L.
13 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
14 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
15 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
16 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
17 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
18 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
19 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
20 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding
21 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and
22 406 of P.L. 107–147, and P.L. 107–181, except that “Internal Revenue Code” does not
23 include section 847 of the federal Internal Revenue Code. The Internal Revenue
24 Code applies for Wisconsin purposes at the same time as for federal purposes.
25 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,

1 do not apply to this paragraph with respect to taxable years beginning after
2 December 31, 1997, and before January 1, 1999, except that changes to the Internal
3 Revenue Code made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
4 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.
5 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding
6 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and changes that indirectly
7 affect the provisions applicable to this subchapter made by P.L. 105–178, P.L.
8 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections
9 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16,
10 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L.
11 107–181, apply for Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 1583dn.** 71.42 (2) (m) of the statutes is amended to read:

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

1 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
2 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
3 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.
4 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding
5 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and
6 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, except that “Internal Revenue
7 Code” does not include section 847 of the federal Internal Revenue Code. The
8 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
9 purposes. Amendments to the federal Internal Revenue Code enacted after
10 December 31, 1998, do not apply to this paragraph with respect to taxable years
11 beginning after December 31, 1998, and before January 1, 2000, except that
12 changes to the Internal Revenue Code made by P.L. 106–36, P.L. 106–170, P.L.
13 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.
14 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding
15 sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and changes
16 that indirectly affect the provisions applicable to this subchapter made by P.L.
17 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
18 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,
19 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.
20 107–276, apply for Wisconsin purposes at the same time as for federal purposes.

21 **SECTION 1583do.** 71.42 (2) (n) of the statutes is amended to read:

22 71.42 (2) (n) For taxable years that begin after December 31, 1999, and before
23 January 1, 2003, “Internal Revenue Code” means the federal Internal Revenue Code
24 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
25 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66

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

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

8 **SECTION 1583dp.** 71.42 (2) (o) of the statutes is created to read:

9 71.42 (2) (o) For taxable years that begin after December 31, 2002, “Internal
10 Revenue Code” means the federal Internal Revenue Code as amended to
11 December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102–227, sections
12 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
13 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and
14 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and section 101 of P.L.
15 107–147, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
16 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
17 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
18 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
19 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
20 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
21 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
22 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections
23 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.
24 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101
25 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, except

1 that “Internal Revenue Code” does not include section 847 of the federal Internal
2 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the
3 same time as for federal purposes. Amendments to the federal Internal Revenue
4 Code enacted after December 31, 2002, do not apply to this paragraph with respect
5 to taxable years beginning after December 31, 2002.

6 **SECTION 1583g.** 71.55 (10) of the statutes is repealed.

7 **SECTION 1583p.** 71.61 (6) of the statutes is created to read:

8 71.61 (6) PROHIBITION OF NEW CLAIMS. For taxable years beginning after
9 December 31, 2002, no new claims for a credit may be filed under this subchapter,
10 but if an otherwise eligible claimant is subject to a farmland preservation agreement
11 that is in effect on the effective date of this subsection [revisor inserts date], the
12 claimant may continue to file a claim for the credit under this subchapter until the
13 farmland preservation agreement expires.

14 **SECTION 1584.** 71.74 (13) (a) of the statutes is amended to read:

15 71.74 (13) (a) If the tax is increased the department shall proceed to collect the
16 additional tax in the same manner as other income or franchise taxes are collected.
17 If the income or franchise taxes are decreased upon direction of the department the
18 ~~state treasurer~~ secretary of administration shall refund to the taxpayer such part of
19 the overpayment as was actually paid in cash, and the certification of the
20 overpayment by the department shall be sufficient authorization to the ~~treasurer~~
21 secretary of administration for the refunding of the overpayment. No refund of
22 income or franchise tax shall be made by the ~~treasurer~~ secretary of administration
23 unless the refund is so certified. The part of the overpayment paid to the county and
24 the local taxation district shall be deducted by the ~~state treasurer~~ secretary of

1 administration in the ~~treasurer's secretary's~~ next settlement with the county and
2 local treasurer.

3 **SECTION 1585.** 71.74 (13) (b) of the statutes is amended to read:

4 71.74 (13) (b) No action or proceeding whatsoever shall be brought against the
5 state or the ~~treasurer thereof~~ secretary of administration for the recovery, refund, or
6 credit of any income or surtaxes; except in case the ~~state treasurer~~ secretary of
7 administration shall neglect or refuse for a period of 60 days to refund any
8 overpayment of any income or surtaxes certified, the taxpayer may maintain an
9 action to collect the overpayment against the ~~treasurer~~ secretary of administration
10 so neglecting or refusing to refund such overpayment, without filing a claim for
11 refund with ~~such treasurer~~ the secretary of administration, provided that such
12 action shall be commenced within one year after the certification of such
13 overpayment.

14 **SECTION 1586.** 71.74 (14) of the statutes is amended to read:

15 71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department may also
16 proceed under s. 71.91 (5) for the collection of any additional assessment of income
17 or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and
18 before the same shall have become delinquent, when it has reasonable grounds to
19 believe that the collection of such additional assessment will be jeopardized by delay.
20 In such cases notice of the intention to so proceed shall be given by registered mail
21 to the taxpayer, and the warrant of the department shall not issue if the taxpayer
22 within 10 days after such notice furnishes a bond in such amount, not exceeding
23 double the amount of the tax, and with such sureties as the department shall
24 approve, conditioned upon the payment of so much of the additional taxes as shall
25 finally be determined to be due, together with interest thereon as provided by s. 71.82

1 (1) (a). Nothing in this subsection shall affect the review of additional assessments
2 provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01, and 73.015, and any amounts
3 collected under this subsection shall be deposited with the ~~state treasurer~~ secretary
4 of administration and disbursed after final determination of the taxes as are
5 amounts deposited under s. 71.90 (2).

6 **SECTION 1587.** 71.80 (1) (e) of the statutes is amended to read:

7 71.80 (1) (e) Representatives of the department directed by it to accept
8 payment of income or franchise taxes shall file bonds with the ~~state treasurer~~
9 secretary of administration in such amount and with such sureties as the state
10 treasurer shall direct and approve.

11 **SECTION 1588.** 71.80 (16) (b) of the statutes is amended to read:

12 71.80 (16) (b) A construction contractor required to file a surety bond under par.
13 (a) may, in lieu of such requirement, but subject to approval by the department,
14 deposit with the ~~state treasurer~~ secretary of administration an amount of cash equal
15 to the face of the bond that would otherwise be required. If an offer to deposit is made,
16 the department shall issue a certificate to the ~~state treasurer~~ secretary of
17 administration authorizing said ~~treasurer~~ secretary to accept payment of such
18 moneys and to give his or her receipt therefor. A copy of such certificate shall be
19 mailed to the contractor who shall, within the time fixed by the department, pay such
20 amount to ~~said treasurer~~ the secretary of administration. A copy of the receipt of the
21 ~~state treasurer~~ secretary of administration shall be filed with the department. Upon
22 final determination by the department of such contractor's liability for state income
23 or franchise taxes, required unemployment insurance contributions, sales and use
24 taxes, and income taxes withheld from wages of employees, interest and penalties,
25 by reason of such contract or contracts, the department shall certify to the state

1 ~~treasurer~~ secretary of administration the amount of taxes, penalties, and interest as
2 finally determined, shall instruct the ~~treasurer~~ secretary of administration as to the
3 proper distribution of such amount, and shall state the amount, if any, to be refunded
4 to such contractor. The ~~state treasurer~~ secretary of administration shall make the
5 payments directed by such certificate within 30 days after receipt thereof. Amounts
6 refunded to the contractor shall be without interest.

7 **SECTION 1589.** 71.80 (17) of the statutes is amended to read:

8 71.80 (17) TAX RECEIPTS TRANSMITTED TO ~~STATE TREASURER~~ THE SECRETARY OF
9 ADMINISTRATION. Within 15 days after receipt of any income or franchise tax
10 payments, the department shall transmit the same to the ~~state treasurer~~ secretary
11 of administration.

12 **SECTION 1599b.** 71.90 (2) of the statutes is amended to read:

13 71.90 (2) DEPOSIT WITH THE ~~STATE TREASURER~~ SECRETARY OF ADMINISTRATION. At
14 any time while the petition is pending before the tax appeals commission or an
15 appeal in regard to that petition is pending in a court, the taxpayer may offer to
16 deposit the entire amount of the additional taxes, together with interest, with the
17 ~~state treasurer~~ secretary of administration. If an offer to deposit is made, the
18 department of revenue shall issue a certificate to the ~~state treasurer~~ secretary of
19 administration authorizing the ~~treasurer~~ secretary to accept payment of such taxes
20 together with interest to the first day of the succeeding month and to give a receipt.
21 A copy of the certificate shall be mailed to the taxpayer who shall pay the taxes and
22 interest to the ~~treasurer~~ secretary of administration within 30 days. A copy of the
23 receipt of the ~~state treasurer~~ secretary of administration shall be filed with the
24 department. The department shall, upon final determination of the appeal, certify
25 to the ~~state treasurer~~ secretary of administration the amount of the taxes as finally

1 determined and direct the ~~state treasurer~~ secretary of administration to refund to
2 the appellant any portion of such payment which has been found to have been
3 improperly assessed, including interest. The ~~state treasurer~~ secretary of
4 administration shall make the refunds directed by the certificate within 30 days
5 after receipt. Taxes paid to the ~~state treasurer~~ secretary of administration under this
6 subsection shall be subject to the interest provided by ss. 71.82 and 71.91 (1) (c) only
7 to the extent of the interest accrued on the taxes prior to the first day of the month
8 succeeding the application for hearing. Any portion of the amount deposited with the
9 ~~state treasurer~~ secretary of administration which is refunded to the taxpayer shall
10 bear interest at the rate of 9% per year during the time that the funds are on deposit.

11 **SECTION 1602.** 71.91 (5) (h) of the statutes is amended to read:

12 71.91 (5) (h) All fees and compensation of officials or other persons performing
13 any act or functions required in carrying out this subchapter, except such as are by
14 this subchapter to be paid to such officials or persons by the taxpayer, shall, upon
15 presentation to the department of revenue of an itemized and verified statement of
16 the amount due, be paid by ~~the state treasurer~~, upon audit by the department of
17 administration on the certificate of the secretary of revenue, by the secretary of
18 administration and charged to the proper appropriation for the department of
19 revenue. No public official shall be entitled to demand prepayment of any fee for the
20 performance of any official act required in carrying out this subchapter.

21 **SECTION 1603.** 71.91 (7) (e) of the statutes is amended to read:

22 71.91 (7) (e) Paragraphs (b) to (d) shall apply in any case in which the employer
23 is the United States or any instrumentality thereof or this state or any municipality
24 or other subordinate unit thereof except those provisions imposing a liability on the
25 employer for failure to withhold or remit. But an amount equal to any amount

1 withheld by any municipality or other subordinate unit of this state under this
2 subsection and not remitted to the department as required by this subsection shall
3 be retained by the state treasurer secretary of administration from funds otherwise
4 payable to any such municipality or subordinate unit, and transmitted instead to the
5 department, upon certification by the secretary of revenue.

6 **SECTION 1604.** 71.93 (1) (a) 4. of the statutes is amended to read:

7 71.93 (1) (a) 4. An amount that the department of workforce development may
8 recover under s. 49.161, 49.195 (3), or 49.793, or may collect under s. 49.147 (6) (cm),
9 if the department of workforce development has certified the amount under s. 49.85.

10 **SECTION 1606.** 71.93 (1) (a) 5. of the statutes is amended to read:

11 71.93 (1) (a) 5. An amount owed to the department of corrections under s.
12 304.073 (2) or 304.074 (2).

13 **SECTION 1607.** 72.24 of the statutes is amended to read:

14 **72.24 Refunding.** Whenever any amount has been paid in excess of the tax
15 determined, the state treasurer secretary of administration, upon certification by
16 the department or circuit court, shall refund the excess to the payor or other person
17 entitled thereto.

18 **SECTION 1614b.** 73.01 (4) (b) of the statutes is amended to read:

19 73.01 (4) (b) Any matter required to be heard by the commission may be heard
20 by any member of the commission or its hearing examiner and reported to the
21 commission, and hearings of matters pending before it shall be assigned to members
22 of the commission or its hearing examiner by the chairperson. ~~Unless a majority of~~
23 ~~the commission decides that the full commission should decide a case, cases~~ Cases
24 other than small claims cases shall be decided by ~~a panel of 3 members~~ the full
25 commission, except that if one or more members of the commission are unavailable,

1 cases other than small claims cases shall be decided by the member or members
2 assigned by the chairperson prior to the hearing. If the parties have agreed to an oral
3 decision, the member or members conducting the hearing may render an oral
4 decision. Hearings shall be open to the public and all proceedings shall be conducted
5 in accordance with rules of practice and procedure prescribed by the commission.
6 Small claims cases shall be decided by one commissioner assigned by the chairperson
7 prior to the hearing.

8 **SECTION 1614d.** 73.01 (4) (em) of the statutes is created to read:

9 73.01 (4) (em) 1. If only 2 commissioners are available to participate in a
10 decision in a case that would otherwise be decided by the full commission, and if the
11 2 commissioners cannot agree on the resolution of the case, the chairperson of the
12 commission shall make the decision in the case, except that, if the chairperson is not
13 participating in the case, the commissioner participating in the case who has been
14 a commissioner for the longer period of time shall make the decision.

15 2. If only one commissioner is available to participate in a decision in a case that
16 would otherwise be decided by the full commission, the commissioner who
17 participates in the case shall make the decision.

18 **SECTION 1620.** 73.03 (2a) of the statutes is amended to read:

19 73.03 (2a) To prepare, have published and distribute to each property tax
20 assessor and to others who so request assessment manuals. The manual shall
21 discuss and illustrate accepted assessment methods, techniques and practices with
22 a view to more nearly uniform and more consistent assessments of property at the
23 local level. The manual shall be amended by the department from time to time to
24 reflect advances in the science of assessment, court decisions concerning assessment
25 practices, costs, and statistical and other information considered valuable to local

1 assessors by the department. The manual shall incorporate standards for the
2 assessment of all types of renewable energy resource systems used in this state as
3 soon as such systems are used in sufficient numbers and sufficient data exists to
4 allow the formulation of valid guidelines. The manual shall incorporate standards,
5 which the department of revenue and the state historical society of Wisconsin shall
6 develop, for the assessment of nonhistoric property in historic districts and for the
7 assessment of historic property, including but not limited to property that is being
8 preserved or restored; property that is subject to a protective easement, covenant or
9 other restriction for historic preservation purposes; property that is listed in the
10 national register of historic places in Wisconsin or in this state's register of historic
11 places and property that is designated as a historic landmark and is subject to
12 restrictions imposed by a municipality or by a landmarks commission. The manual
13 shall incorporate general guidelines about ways to determine whether property is
14 taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in
15 specific situations. The manual shall state that assessors are required to comply with
16 s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement
17 to it shall specify per acre value guidelines for each municipality for various
18 categories of agricultural land based on the income that could be generated from its
19 estimated rental for agricultural use, as defined by rule, and capitalization rates
20 established by rule. The manual shall include guidelines for classifying land as
21 agricultural land, as defined in s. 70.32 (2) (c) ~~1. 1g.~~, and guidelines for distinguishing
22 between land and improvements to land. The cost of the development, preparation,
23 publication and distribution of the manual and of revisions and amendments to it
24 shall be borne by the assessors and requesters at an individual volume cost or a
25 subscription cost as determined by the department. All receipts shall be credited to

1 the appropriation under s. 20.566 (2) (hi). The department may provide free
2 assessment manuals to other state agencies or exchange them at no cost with
3 agencies of other states or of the federal government for similar information or
4 publications.

5 **SECTION 1621.** 73.03 (6) of the statutes is amended to read:

6 73.03 (6) In its discretion to inspect and examine or cause an inspection and
7 examination of the records of any town, city, village, or county officer whenever such
8 officer shall have failed or neglected to return properly the information as required
9 by sub. (5), within the time set by the department of revenue. Upon the completion
10 of such inspection and examination the department of revenue shall transmit to the
11 clerk of the town, city, village, or county a statement of the expenses incurred by the
12 department of revenue to secure the necessary information. Duplicates of such
13 statements shall be filed in the office of the ~~department~~ secretary of administration
14 ~~and state treasurer~~. Within 60 days after the receipt of the above statement, the
15 same shall be audited, as other claims of towns, cities, villages, and counties are
16 audited, and shall be paid into the state treasury, in default of which the same shall
17 become a special charge against such town, city, village, or county and be included
18 in the next apportionment or certification of state taxes and charges, and collected
19 with interest at the rate of 10% per year from the date such statements were certified
20 by the department, as other special charges are certified and collected.

21 **SECTION 1623g.** 73.03 (59) of the statutes is created to read:

22 73.03 (59) To enforce ss. 945.03 (2m) and 945.04 (2m).

23 **SECTION 1623m.** 73.03 (60) of the statutes is created to read:

1 73.03 (60) To enforce s. 945.05 (1m), in cases in which the department
2 determines that the video gambling machine involved is likely to be used in
3 connection with a violation of s. 945.03 (2m) or 945.04 (2m).

4 **SECTION 1623r.** 73.031 of the statutes is amended to read:

5 **73.031 Arrest powers.** A special agent of the department of revenue who has
6 been certified as a law enforcement officer by the law enforcement standards board
7 and who is on duty may arrest a person if the special agent believes, on reasonable
8 grounds, that a warrant for the person's arrest has been issued in this state ~~or~~, that
9 a felony warrant has been issued in another state, that the person is violating or has
10 violated s. 945.03 (2m) or 945.04 (2m), or that the person is violating or has violated
11 s. 945.05 (1m) in a case in which the department determines that the video gambling
12 machine involved is likely to be used in connection with a violation of s. 945.03 (2m)
13 or 945.04 (2m) or if a crime has been committed in the presence of the special agent.
14 The special agent shall cause the person arrested and the documents and reports
15 pertaining to the arrest to be delivered to the chief of police or sheriff in the
16 jurisdiction where the arrest is made. The special agent shall be available as a
17 witness for the state. A special agent acting under this section is an employee of the
18 department and is subject to its direction, benefits and legal protection.

19 **SECTION 1626.** 73.09 (2) of the statutes is amended to read:

20 **73.09 (2) DEPARTMENT OF REVENUE ASSESSMENT PERSONNEL.** The requirements
21 established for local assessment personnel under sub. (1) shall also apply to
22 department of revenue assessment personnel commencing on January 1, 1981. The
23 ~~department of employment relations~~ office of state human resources management
24 with the assistance of the department of revenue shall determine the position
25 classifications for which certification shall apply within the department of revenue.

1 The first level of certification shall be obtained within 100 days of the employee's
2 appointment. The department of revenue in consultation with the department of
3 ~~employment relations~~ office of state human resources management shall establish
4 requirements for obtaining higher levels of assessor certification.

5 **SECTION 1627.** 73.09 (5) of the statutes is amended to read:

6 73.09 (5) EXAMINATIONS. As provided in subs. (1) and (2), the department of
7 revenue, assisted by the division of merit recruitment and selection in the
8 ~~department of employment relations~~ office of state human resources management,
9 shall prepare and administer examinations for each level of certification. Persons
10 applying for an examination under this subsection shall submit a \$20 examination
11 fee with their application. Certification shall be granted to each person who passes
12 the examination for that level.

13 **SECTION 1628.** 73.10 (6) of the statutes is amended to read:

14 73.10 (6) The department may establish a scale of charges for audits,
15 inspections, and other services rendered by the department in connection with
16 financial records or procedures of towns, villages, cities, counties, and all other local
17 public bodies, boards, commissions, departments, or agencies. Upon the completion
18 of such work or, at the department's discretion, during work in progress, the
19 department shall transmit to the clerk of the town, village, city, county, or other local
20 public body, board, commission, department, or agency a statement of such charges.
21 Duplicates of the statements shall be filed in the ~~offices~~ office of the ~~state treasurer~~
22 secretary of administration. Within 60 days after the receipt of the above statement
23 of charges, it shall be audited as other claims against towns, villages, cities, counties,
24 and other local public bodies, boards, commissions, departments, or agencies are
25 audited, and it shall be paid into the state treasury and credited to the appropriation

1 under s. 20.566 (2) (gi). Past due accounts of towns, villages, cities, counties, and all
2 other local public bodies, boards, commissions, departments, or agencies shall be
3 certified on or before the 4th Monday of August of each year and included in the next
4 apportionment of state special charges to local units of government.

5 **SECTION 1628d.** 74.09 (3) (b) 1. of the statutes is amended to read:

6 74.09 (3) (b) 1. For real property, the estimated fair market value of the land,
7 except agricultural land, as defined in s. 70.32 (2) (c) ~~1. 1g.~~, and the assessed value
8 of the land and the estimated fair market value and assessed value of the
9 improvements.

10 **SECTION 1628e.** 74.09 (3) (b) 2. of the statutes is amended to read:

11 74.09 (3) (b) 2. For all property, the total estimated fair market value, except
12 that the estimated fair market value of agricultural land, as defined in s. 70.32 (2)
13 (c) ~~1. 1g.~~, shall be excluded, and the total assessed value.

14 **SECTION 1629.** 74.25 (1) (a) 5. of the statutes is amended to read:

15 74.25 (1) (a) 5. Pay to the ~~state treasurer~~ secretary of administration all
16 collections of occupational taxes on mink farms, 30% of collections of occupational
17 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal
18 docks.

19 **SECTION 1630.** 74.27 of the statutes is amended to read:

20 **74.27 March settlement between counties and the state.** On or before
21 March 15, the county treasurer shall send to the ~~state treasurer~~ secretary of
22 administration the state's proportionate shares of taxes under ss. 74.23 (1) (b) and
23 74.25 (1) (b) 1. and 2.

24 **SECTION 1631.** 74.30 (1) (e) of the statutes is amended to read:

1 74.30 (1) (e) Pay to the state ~~treasurer~~ secretary of administration all
2 collections of occupational taxes on mink farms, 30% of collections of occupational
3 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal
4 docks.

5 **SECTION 1632.** 74.30 (1m) of the statutes is amended to read:

6 74.30 (1m) MARCH SETTLEMENT BETWEEN COUNTIES AND THE STATE. On or before
7 March 15, the county treasurer shall send to the ~~state treasurer~~ secretary of
8 administration the state's proportionate shares of taxes under sub. (1) (i) and (j).

9 **SECTION 1632d.** 74.485 (1) of the statutes is amended to read:

10 74.485 (1) DEFINITION. In this section, "agricultural land" has the meaning
11 given in s. 70.32 (2) (c) ~~1.~~ 1g.

12 **SECTION 1632e.** 74.485 (4) (a) of the statutes is amended to read:

13 74.485 (4) (a) A person who owns land that has been assessed as agricultural
14 land under s. 70.32 (2r) and who converts the land's use so that the land is not eligible
15 to be assessed as agricultural land under s. 70.32 (2r) is not subject to a penalty under
16 sub. (2) if the converted land may be assessed as ~~swamp or waste~~ undeveloped under
17 s. 70.32 (2) (a) 5., as agricultural forest under s. 70.32 (2) (a) 5m., as productive forest
18 land under s. 70.32 (2) (a) 6., or as other under s. 70.32 (2) (a) 7. or if the amount of
19 the penalty determined under sub. (2) represents less than \$25 for each acre of
20 converted land.

21

22 **SECTION 1632ma.** 74.57 (3) of the statutes is amended to read:

23 74.57 (3) CERTIFICATE NOT TRANSFERABLE. ~~The~~ Except as provided under s.
24 74.635, the county may not sell, assign, or otherwise transfer a tax certificate.
25 However, if a city authorized to act under s. 74.87 pays delinquent taxes under an

1 agreement entered into under s. 74.83, the county treasurer shall issue or reissue tax
2 certificates to the city on all property for which the delinquent taxes have been paid.

3 **SECTION 1632mb.** 74.635 of the statutes is created to read:

4 **74.635 Sale of tax certificate revenues. (1) DEFINITIONS.** In this section:

5 (a) “County” includes a city that is authorized to act under s. 74.87.

6 (b) “Tax certificate” means a tax certificate issued under s. 74.57.

7 (c) “Tax certificate revenues” means, with respect to each parcel of real property
8 included in a tax certificate, payments of real property taxes, special charges, special
9 taxes, and special assessments indicated on a tax certificate, including interest and
10 penalties on such amounts.

11 (2) **SALE.** A county may sell to any person all or a portion of the county’s right
12 to receive tax certificate revenues. The county shall distribute the proceeds from a
13 sale under this subsection as provided under s. 75.05.

14 (3) **ADMINISTRATION.** A county may enter into an agreement for the sale of the
15 county’s right to receive tax certificate revenues. The agreement may include any
16 provisions that the county considers necessary and may permit any person who
17 purchases all or any portion of a county’s right to receive tax certificate revenue to
18 sell, assign, or otherwise transfer such right, in whole or in part, to another person.

19 **SECTION 1634.** 76.13 (2) of the statutes is amended to read:

20 76.13 (2) Every tax roll upon completion shall be delivered to the state
21 ~~treasurer and a copy of the tax roll filed with the~~ secretary of administration. The
22 department shall notify, by certified mail, all companies listed on the tax roll of the
23 amount of tax due, which shall be paid to the department. The payment dates
24 provided for in sub. (2a) shall apply. The payment of one-fourth of the tax of any
25 company may, if the company has brought an action in the Dane County circuit court

1 under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time
2 prior to the date upon which the appeal becomes final, but any part of the tax
3 ultimately required to be paid shall bear interest from the original due date to the
4 date the appeal became final at the rate of 12% per year and at 1.5% per month
5 thereafter until paid. The taxes extended against any company after the same
6 become due, with interest, shall be a lien upon all the property of the company prior
7 to all other liens, claims, and demands whatsoever, except as provided in ss. 292.31
8 (8) (i) and 292.81, which lien may be enforced in an action in the name of the state
9 in any court of competent jurisdiction against the property of the company within the
10 state as an entirety.

11 **SECTION 1635.** 76.13 (3) of the statutes is amended to read:

12 76.13 (3) If the Dane County circuit court, after such roll is delivered to the
13 ~~state treasurer~~ secretary of administration, increases or decreases the assessment
14 of any company, the department shall immediately redetermine the tax of the
15 company on the basis of the revised assessment, and shall certify and deliver the
16 revised assessment to the ~~state treasurer~~ secretary of administration as a revision
17 of the tax roll. If the amount of tax upon the assessment as determined by the court
18 is less than the amount paid by the company, the ~~excess shall be refunded~~ secretary
19 of administration shall refund the excess to the company with interest at the rate of
20 9% per year ~~upon the certification of the redetermined tax and for that purpose the~~
21 ~~secretary of administration, upon the certification and delivery of the revised tax roll,~~
22 ~~shall draw a warrant upon the state treasurer for the amount to be so refunded.~~ If
23 the amount of the tax upon the assessment as determined by the court is in excess
24 of the amount of the tax as determined by the department, interest shall be paid on

1 the additional amount at the rate of 12% per year from the date of entry of judgment
2 to the date the judgment becomes final, and at 1.5% per month thereafter until paid.

3 **SECTION 1636.** 76.15 (2) of the statutes is amended to read:

4 76.15 (2) The power to reassess the property of any company defined in s. 76.02
5 and the general property of the state, and to redetermine the average rate of
6 taxation, may be exercised under sub. (1) as often as may be necessary until the
7 amount of taxes legally due from any such company for any year under ss. 76.01 to
8 76.26 has been finally and definitely determined. Whenever any sum or part thereof,
9 levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has
10 been paid and not refunded, the payment so made shall be applied upon the
11 reassessment upon the property, and the reassessment of taxes to that extent shall
12 be deemed to be satisfied. When the tax roll on the reassessment is completed and
13 delivered to the ~~state treasurer~~ secretary of administration, the department shall
14 immediately notify by certified mail each of the several companies taxed to pay the
15 amount of the taxes extended on the tax roll within 30 days.

16 **SECTION 1637.** 76.22 (3) of the statutes is amended to read:

17 76.22 (3) The ~~state treasurer~~ secretary of administration for and in the name
18 of the state may bid at the sale and the state may become the purchaser of the
19 property of any such company under a judgment for its sale for taxes, interest, and
20 costs.

21 **SECTION 1638.** 76.24 (1) of the statutes is amended to read:

22 76.24 (1) All taxes collected from companies defined in s. 76.02 under this
23 subchapter shall be transmitted by the department to the ~~state treasurer~~ secretary
24 of administration and become a part of the general fund for the use of the state,

1 except that taxes paid into the state treasury by any air carrier or railroad company
2 shall be deposited in the transportation fund.

3 **SECTION 1640.** 76.28 (4) (b) of the statutes is amended to read:

4 76.28 (4) (b) In the case of overpayments of license fees by any light, heat and
5 power company under par. (a), the department shall certify the overpayments to the
6 department of administration, which shall audit the amount of the overpayments
7 and the ~~state treasurer~~ secretary of administration shall pay the amounts
8 determined by means of the audit. All refunds of license fees under this subsection
9 shall bear interest at the annual rate of 9% from the date of the original payment to
10 the date when the refund is made. The time for making additional levies of license
11 fees or claims for refunds of excess license fees paid, in respect to any year, shall be
12 limited to 4 years after the time the report for such year was filed.

13 **SECTION 1642.** 76.39 (4) (d) of the statutes is amended to read:

14 76.39 (4) (d) All refunds shall be certified by the department to the department
15 of administration which shall audit the amount of the refunds and the ~~state~~
16 ~~treasurer~~ secretary of administration shall pay the amount, together with interest
17 at the rate of 9% per year from the date payment was made. All additional taxes shall
18 bear interest at the rate of 12% per year from the time they should have been paid
19 to the date upon which the additional taxes shall become delinquent if unpaid.

20 **SECTION 1643.** 76.48 (3) of the statutes is amended to read:

21 76.48 (3) On or before May 1 in each year, the department of revenue shall
22 compute and assess the license fees provided for in sub. (1r) and certify the amounts
23 due to the ~~state treasurer~~ and file a duplicate thereof with the department secretary
24 of administration. The department shall notify each electric cooperative of the
25 amount of the license fees so assessed. The fees shall become delinquent if not paid

1 when due and when delinquent shall be subject to interest at the rate of 1.5% per
2 month on the amount of license fee until paid. The interest shall be collected by the
3 department and, upon collection, forwarded to the ~~state treasurer~~ secretary of
4 administration and retained by the state. The payment dates provided for in sub.
5 (3a) shall apply.

6 **SECTION 1644.** 76.48 (5) of the statutes is amended to read:

7 76.48 (5) Additional assessments may be made, if notice of such assessment is
8 given, within 4 years of the date the annual return was filed, but if no return was
9 filed, or if the return filed was incorrect and was filed with intent to defeat or evade
10 the tax, an additional assessment may be made at any time upon the discovery of
11 gross revenues by the department. Refunds may be made if a claim for the refund
12 is filed in writing with the department within 4 years of the date the annual return
13 was filed. Refunds shall bear interest at the rate of 9% per year and shall be certified
14 by the department to the secretary of administration who shall audit the amounts
15 of such overpayments and ~~the state treasurer shall~~ pay the amount audited.
16 Additional assessments shall bear interest at the rate of 12% per year from the time
17 they should have been paid to the date upon which they shall become delinquent if
18 unpaid.

19 **SECTION 1646d.** 77.04 (2) of the statutes is amended to read:

20 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be
21 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all
22 lands entered after December 31, 1971, the “acreage share” shall be computed every
23 10 years to the nearest cent by the department of revenue at the rate of 20 cents per
24 acre multiplied by a ratio using the equalized value of the combined residential,
25 commercial, manufacturing, agricultural, ~~swamp, or waste~~ undeveloped,

1 agricultural forest, and productive forest land classes under s. 70.32 (2) within the
2 state in 1972 as the denominator, and using equalized value for these combined land
3 classes in 1982 and every 10th year thereafter as the numerator. All owners shall
4 pay to the taxation district treasurer the acreage share on each description on or
5 before January 31. If the acreage share is not paid when due to the taxation district
6 treasurer it shall be subject to interest and penalty as provided under ss. 74.11 (11),
7 74.12 (10) and 74.47. These lands shall be returned as delinquent and a tax
8 certificate under subch. VII of ch. 74 shall be issued on them. After 2 years from the
9 date of the issuance of a tax certificate, the county clerk shall promptly take a tax
10 deed under ch. 75. On taking such deed the county clerk shall certify that fact and
11 specify the descriptions to the department of natural resources.

12 **SECTION 1647.** 77.14 of the statutes is amended to read:

13 **77.14 Forest croplands information, protection, appropriation.** The
14 department of natural resources shall publish and distribute information regarding
15 the method of taxation of forest croplands under this subchapter, and may employ
16 a fire warden in charge of fire prevention in forest croplands. All actual and
17 necessary expenses incurred by the department of natural resources or by the
18 department of revenue in the performance of their duties under this subchapter shall
19 be paid from the appropriation made in s. 20.370 (1) ~~(mu)~~ (mv) upon certification by
20 the department incurring such expenses.

21 **SECTION 1647m.** 77.52 (2) (a) 1. of the statutes is amended to read:

22 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
23 motel operators and other persons furnishing accommodations that are available to
24 the public, irrespective of whether membership is required for use of the
25 accommodations, ~~if the use of the rooms or lodging is not fixed at the time of sale as~~

1 ~~to the starting day or the lodging unit.~~ In this subdivision, “transient” means any
2 person residing for a continuous period of less than one month in a hotel, motel or
3 other furnished accommodations available to the public. In this subdivision, “hotel”
4 or “motel” means a building or group of buildings in which the public may obtain
5 accommodations for a consideration, including, without limitation, such
6 establishments as inns, motels, tourist homes, tourist houses or courts, lodging
7 houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins
8 and any other building or group of buildings in which accommodations are available
9 to the public, except accommodations, including mobile homes as defined in s.
10 66.0435 (1) (d), rented for a continuous period of more than one month and
11 accommodations furnished by any hospitals, sanatoriums, or nursing homes, or by
12 corporations or associations organized and operated exclusively for religious,
13 charitable or educational purposes provided that no part of the net earnings of such
14 corporations and associations inures to the benefit of any private shareholder or
15 individual. In this subdivision, “one month” means a calendar month or 30 days,
16 whichever is less, counting the first day of the rental and not counting the last day
17 of the rental.

18 **SECTION 1649.** 77.59 (7) of the statutes is amended to read:

19 77.59 (7) If the department believes that the collection of any tax imposed by
20 this subchapter will be jeopardized by delay, it shall notify the person determined to
21 owe the tax of its intention to proceed under s. 71.91 (5) for collection of the amount
22 determined to be owing, including penalties and interest. Such notice shall be by
23 certified or registered mail or by personal service and the warrant of the department
24 shall not issue if the person, within 10 days after such notice furnishes a bond in such
25 amount not exceeding double the amount determined to be owing and with such

1 sureties as the department approves, conditioned upon the payment of so much of
2 the taxes, interest, and penalties as shall finally be determined to be due. Nothing
3 in this subsection shall affect the review of determinations of tax as provided in this
4 subchapter and any amounts collected under this subsection shall be deposited with
5 the ~~state treasurer~~ secretary of administration and disbursed after final
6 determination of the taxes as are amounts deposited under ss. 71.89 (1) and 71.90
7 (2).

8 **SECTION 1650m.** 77.635 of the statutes is created to read:

9 **77.635 Determination of tax receipts related to motor vehicles.**

10 Beginning on July 1, 2005, and on each July 1 thereafter, the department of revenue
11 shall determine the total amount of the taxes imposed under ss. 77.52 and 77.53 that
12 is paid to the department of revenue and to the department of transportation in the
13 immediately preceding calendar year on the sale or use of new motor vehicles.
14 Annually on July 1, 10% of the total amount determined under this section shall be
15 transferred from s. 20.855 (4) (fn) to the transportation fund.

16 **SECTION 1651.** 77.66 of the statutes is created to read:

17 **77.66 Certification for collection of sales and use tax.** The secretary of

18 revenue shall determine and periodically certify to the secretary of administration
19 the names of persons, and affiliates, as defined in s. 16.70 (1b), of persons, who make
20 sales of tangible personal property and taxable services that are subject to the taxes
21 imposed under this subchapter but who are not registered to collect and remit such
22 taxes to the department or, if registered, do not collect and remit such taxes.

23 **SECTION 1652.** 77.91 (4) of the statutes is amended to read:

1 77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses
2 for the administration of this subchapter shall be paid from the appropriation under
3 s. 20.370 (1) (~~mu~~) (mv).

4 **SECTION 1653.** 77.91 (5) of the statutes is amended to read:

5 77.91 (5) RECORDING. Each register of deeds who receives notice of an order
6 under this subchapter shall record the action as provided under s. 59.43 (1). The
7 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.
8 from the appropriation under s. 20.370 (1) (cr). If the amount in the appropriation
9 under s. 20.370 (1) (cr) in any fiscal year is insufficient to pay the full amount
10 required under this subsection in that fiscal year, the department shall pay the
11 balance from the appropriation under s. 20.370 (1) (~~mu~~) (mv).

12 **SECTION 1653d.** 79.01 (2d) of the statutes is amended to read:

13 79.01 (2d) There is established an account in the general fund entitled the
14 “County and Municipal Aid Account.”

15 **SECTION 1653e.** 79.01 (2e) of the statutes is created to read:

16 79.01 (2e) There is established an account in the general fund entitled the
17 “Municipal Aid Account.”

18 **SECTION 1653f.** 79.01 (2f) of the statutes is created to read:

19 79.01 (2f) There is established an account in the general fund entitled the
20 “Municipal Aid Distribution Account.”

21 **SECTION 1654.** 79.015 of the statutes is amended to read:

22 **79.015 Statement of estimated payments.** The department of revenue, on
23 or before September 15 of each year, shall provide to each municipality and county
24 a statement of estimated payments to be made in the next calendar year to the

1 municipality or county under ss. 79.03, 79.035, ~~79.036~~, 79.04, 79.043, 79.044, 79.045,
2 79.05, 79.058, and 79.06.

3 **SECTION 1655.** 79.02 (2) (b) of the statutes is amended to read:

4 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
5 municipality's or county's estimated payments under ss. 79.03, 79.035, ~~79.036~~, 79.04,
6 79.043, 79.044, 79.045, 79.058, and 79.06 and 100% of the municipality's estimated
7 payments under s. 79.05.

8 **SECTION 1656.** 79.02 (3) of the statutes is amended to read:

9 79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county
10 in November shall equal that municipality's or county's entitlement to ~~shared~~
11 revenues under ss. 79.03, 79.035, ~~79.036~~, 79.04, 79.043, 79.044, 79.045, 79.05,
12 79.058, and 79.06 for the current year, minus the amount distributed to the
13 municipality or county in July.

14 (b) In November 2002, the amount of the payments to each municipality and
15 county under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 to be paid from the
16 appropriation account under s. 20.855 (4) (rb) shall be the amount of such payments
17 to the municipality or county multiplied by the quotient of an amount equal to the
18 moneys available, as determined by the department of administration, from the
19 appropriation account under s. 20.855 (4) (rb) divided by \$826,068,930.

20 **SECTION 1657.** 79.02 (3) (c) 1. of the statutes is created to read:

21 79.02 (3) (c) 1. In November 2003, the total amount of the payments to each
22 municipality and county under ss. 79.03, 79.04, and 79.06 to be paid from the
23 appropriation account under s. 20.835 (1) (t) shall equal \$230,000,000 and shall be
24 applied to the payments in the manner determined by the department of revenue.

25 **SECTION 1657m.** 79.02 (3) (c) 2. of the statutes is created to read:

1 79.02 (3) (c) 2. In November 2003, the total amount of the payments to each
2 municipality and county under ss. 79.03, 79.04, and 79.06 to be paid from the
3 appropriation account under s. 20.835 (1) (u) shall equal \$17,600,000 and shall be
4 applied to the payments in the manner determined by the department of revenue.

5 **SECTION 1657d.** 79.02 (3) (c) 3. of the statutes is created to read:

6 79.02 (3) (c) 3. In November 2003, the total amount of the payments under ss.
7 79.03, 79.04, and 79.06 to each county and municipality shall be reduced by an
8 amount equal to the amount of supplements paid from the appropriation under s.
9 20.435 (4) (b) that the county or municipality received for the fiscal year in which a
10 payment is made under this section, as determined under s. 49.45 (51).

11 **SECTION 1658.** 79.02 (3) (d) of the statutes is created to read:

12 79.02 (3) (d) 1. In November 2004, the total amount of the payments to each
13 municipality under ss. 79.043, 79.044, and 79.045 to be paid from the appropriation
14 account under s. 20.835 (1) (t) shall equal \$170,000,000 and shall be applied to the
15 payments in the manner determined by the department of revenue.

16 2. In November 2004, the total amount of the payments to each municipality
17 under ss. 79.043, 79.044, and 79.045 to be paid from the appropriation account under
18 s. 20.835 (1) (u) shall equal \$20,000,000 and shall be applied to the payments in the
19 manner determined by the department of revenue.

20 **SECTION 1658d.** 79.02 (3) (e) of the statutes is created to read:

21 79.02 (3) (e) For the distribution in 2004 and subsequent years, the total
22 amount of the November payments to each county and municipality under ss. 79.035,
23 79.043, 79.044, 79.045, and 79.046 shall be reduced by an amount equal to the
24 amount of supplements paid from the appropriation under s. 20.435 (4) (b) that the

1 county or municipality received for the fiscal year in which a payment is made under
2 this section, as determined under s. 49.45 (51).

3 **SECTION 1659.** 79.03 (3) (a) of the statutes is amended to read:

4 79.03 (3) (a) The amount in the shared revenue account for municipalities and
5 the amount in the shared revenue account for counties, less the payments under sub.
6 (2) and s. 79.04, and, for the distribution in 2003, the amount appropriated under s.
7 20.835 (1) (m), (t), and (u), shall be allocated to each municipality and county
8 respectively in proportion to its entitlement. In this paragraph, “entitlement” means
9 the product of aidable revenues and tax base weight.

10 **SECTION 1659d.** 79.03 (3c) (b) 2. of the statutes is amended to read:

11 79.03 (3c) (b) 2. For the year before the year in which the statement under s.
12 79.015 is provided, the municipality levies property taxes for municipal purposes at
13 a rate of at least one mill per dollar of full value under s. 70.57, or, with regard to
14 payments in 2003, if the full valuation of property in the municipality is less than
15 \$10,000,000, the municipality levies property taxes for municipal purposes at a rate
16 of at least 0.85 mill per dollar of full value under s. 70.57.

17 **SECTION 1659m.** 79.03 (3c) (f) of the statutes is amended to read:

18 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
19 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
20 paid to each eligible municipality shall be paid on a prorated basis. The total amount
21 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
22 in 1996 and ending in 1999; and \$11,000,000 in the year 2000 and in the year 2001.
23 The total amount to be distributed under this subsection from ss. 20.835 (1) (b) and
24 20.855 (4) (rb) in 2002 is \$11,110,000 and the total amount to be distributed under

1 this subsection from s. 20.835 (1) (b) in 2003 is \$11,221,100 less the reductions under
2 s. 79.02 (3) (c) 3.

3 **SECTION 1660.** 79.03 (4) of the statutes is amended to read:

4 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
5 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
6 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
7 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
8 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
9 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
10 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
11 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
12 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
13 total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from ss. 20.835 (1)
14 (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities and \$170,671,600 to
15 counties. In 2003, the total amounts to be distributed under ss. 79.03, 79.04, and
16 79.06 from s. 20.835 (1) (d), (m), (t), and (u) are \$776,783,700 to municipalities, less
17 the reductions under s. 79.02 (3) (c) 3., and \$172,378,300 to counties, less the
18 reductions under s. 79.02 (3) (c) 3.

19 **SECTION 1662b.** 79.035 (title) of the statutes is amended to read:

20 **79.035 (title) County and municipal aid.**

21 **SECTION 1662d.** 79.035 (1) of the statutes is amended to read:

22 79.035 (1) ~~Subject to reductions under s. 79.036 (3), in~~ In 2004 and subsequent
23 years, each county ~~and municipality~~ shall receive a payment from the county ~~and~~
24 ~~municipal aid~~ account in an amount determined under sub. (2).

25 **SECTION 1663b.** 79.035 (2) (a) 1. of the statutes is amended to read:

1 79.035 (2) (a) 1. ~~For~~ Except as provided under 79.02 (3) (e), for the distribution
2 in 2004, each county ~~and municipality~~ will receive a payment that is equal to the
3 amount of the payments the county ~~or municipality~~ would have received in 2003
4 under ss. 79.03, 79.058, and 79.06, if not for the reductions under s. 79.02 (3) (c) 3.,
5 less the amount of the reduction under subd. 2.

6 **SECTION 1664b.** 79.035 (2) (a) 2. of the statutes is amended to read:

7 79.035 (2) (a) 2. The department of revenue shall reduce the amount of the
8 payments to be distributed to each county ~~and municipality~~, as determined under
9 subd. 1., by subtracting from such payments an amount based on the county's ~~or~~
10 ~~municipality's~~ population, as determined by the department, so that the total
11 amount of the reduction to all such payments in 2004 is ~~\$40,000,000~~ \$20,000,000,
12 except that the reduction applied to any county's ~~or municipality's~~ payment shall not
13 exceed the amount of the payments specified under subd. 1. distributed to the county
14 ~~or municipality~~ in 2003.

15 **SECTION 1666b.** 79.035 (2) (b) of the statutes is amended to read:

16 79.035 (2) (b) ~~For~~ Except as provided under s. 79.02 (3) (e), for the distribution
17 in 2005 and subsequent years, each county ~~and municipality~~ shall receive a payment
18 under this section that is equal to the amount of the payment determined for the
19 county ~~or municipality~~ under par. (a) in 2004 ~~prior to the reductions under s. 79.036.~~

20 **SECTION 1667.** 79.036 of the statutes is repealed.

21 **SECTION 1668.** 79.04 (1) (a) of the statutes is amended to read:

22 79.04 (1) (a) An amount from the shared revenue account or, for the
23 distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by
24 multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village,
25 the first \$125,000,000 of the amount shown in the account, plus leased property, of

1 each public utility except qualified wholesale electric companies, as defined in s.
2 76.28 (1) (gm), on December 31 of the preceding year for either “production plant,
3 exclusive of land” and “general structures”, or “work in progress” for production
4 plants and general structures under construction, in the case of light, heat and power
5 companies, electric cooperatives or municipal electric companies, for all property
6 within a municipality in accordance with the system of accounts established by the
7 public service commission or rural electrification administration, less depreciation
8 thereon as determined by the department of revenue and less the value of treatment
9 plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as
10 determined by the department of revenue plus an amount from the shared revenue
11 account or, for the distribution in 2003, from the appropriation under s. 20.835 (1)
12 (t) determined by multiplying by 3 mills in the case of a town, and 6 mills in the case
13 of a city or village, of the first \$125,000,000 of the total original cost of production
14 plant, general structures and work-in-progress less depreciation, land and
15 approved waste treatment facilities of each qualified wholesale electric company, as
16 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property
17 within the municipality. The total of amounts, as depreciated, from the accounts of
18 all public utilities for the same production plant is also limited to not more than
19 \$125,000,000. The amount distributable to a municipality in any year shall not
20 exceed \$300 times the population of the municipality.

21 **SECTION 1669.** 79.04 (2) (a) of the statutes is amended to read:

22 79.04 (2) (a) Annually, the department of administration, upon certification by
23 the department of revenue, shall distribute from the shared revenue account or, for
24 the distribution in 2003, from the appropriation under s. 20.835 (1) (t) to any county
25 having within its boundaries a production plant or a general structure, including

1 production plants and general structures under construction, used by a light, heat
2 or power company assessed under s. 76.28 (2) or 76.29 (2), except property described
3 in s. 66.0813 unless the production plant is owned or operated by a local
4 governmental unit that is located outside of the municipality in which the production
5 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,
6 respectively, or by a municipal electric company under s. 66.0825 an amount
7 determined by multiplying by 6 mills in the case of property in a town and by 3 mills
8 in the case of property in a city or village the first \$125,000,000 of the amount shown
9 in the account, plus leased property, of each public utility except qualified wholesale
10 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding
11 year for either “production plant, exclusive of land” and “general structures”, or
12 “work in progress” for production plants and general structures under construction,
13 in the case of light, heat and power companies, electric cooperatives or municipal
14 electric companies, for all property within the municipality in accordance with the
15 system of accounts established by the public service commission or rural
16 electrification administration, less depreciation thereon as determined by the
17 department of revenue and less the value of treatment plant and pollution
18 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
19 department of revenue plus an amount from the shared revenue account or, for the
20 distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by
21 multiplying by 6 mills in the case of property in a town, and 3 mills in the case of
22 property in a city or village, of the total original cost of production plant, general
23 structures and work-in-progress less depreciation, land and approved waste
24 treatment facilities of each qualified wholesale electric company, as defined in s.
25 76.28 (1) (gm), as reported to the department of revenue of all property within the

1 municipality. The total of amounts, as depreciated, from the accounts of all public
2 utilities for the same production plant is also limited to not more than \$125,000,000.
3 The amount distributable to a county in any year shall not exceed \$100 times the
4 population of the county.

5 **SECTION 1669d.** 79.043 of the statutes is created to read:

6 **79.043 Municipal aid for basic public services.** (1) DEFINITIONS. In this
7 section:

8 (a) “Actual per capita conservation, development, and library cost” means a
9 municipality’s actual expenditures, net of any related revenues, incurred in 2001 for
10 operations and capital outlays related to conservation, development, and library
11 services, as determined by the department of revenue, based on the financial reports
12 required under s. 73.10 (2) and recorded in the governmental and proprietary fund
13 types, divided by the municipality’s 2002 population, except that “actual per capita
14 conservation, development, and library cost” may not be less than zero.

15 (b) “Actual per capita public safety cost” means a municipality’s actual
16 expenditures, net of any related revenues, incurred in 2001 for operations and
17 capital outlays related to public safety services, as determined by the department of
18 revenue, based on the financial reports required under s. 73.10 (2) and recorded in
19 the governmental and proprietary fund types, divided by the municipality’s 2002
20 population, except that “actual per capita public safety cost” may not be less than
21 zero.

22 (c) “Adjusted per capita conservation, development, and library cost” means the
23 sum of a municipality’s primary per capita conservation, development, and library
24 cost and the municipality’s secondary per capita conservation, development, and
25 library cost.

1 (d) “Adjusted per capita public safety cost” means the sum of a municipality’s
2 primary per capita public safety cost and the municipality’s secondary per capita
3 public safety cost.

4 (e) “Aidable costs” means an amount calculated as follows:

5 1. Add a municipality’s adjusted per capita public safety cost to the
6 municipality’s adjusted per capita conservation, development, and library cost.

7 2. Multiply the result under subd. 1. by the municipality’s 2002 population.

8 3. Multiply the result under subd. 2. by the municipality’s poverty factor.

9 (f) “Average per capita conservation, development, and library cost” means the
10 total 2001 conservation, development, and library expenditures, net of any related
11 revenues, for all municipalities that are eligible to receive a payment under this
12 section, divided by the total 2002 population for all municipalities that are eligible
13 to receive a payment under this section and that reported 2001 conservation,
14 development, and library expenditures.

15 (g) “Average per capita public safety cost” means the total 2001 public safety
16 expenditures, net of any related revenues, for all municipalities that are eligible to
17 receive a payment under this section, divided by the total 2002 population for all
18 municipalities that are eligible to receive a payment under this section and that
19 reported 2001 public safety expenditures.

20 (h) “Per capita full value” means the quotient of the 2002 equalized value of the
21 property of a municipality, excluding the incremental value in tax increment
22 districts, divided by the municipality’s population in 2002.

23 (i) Notwithstanding s. 79.005 (2), “population” means the number of persons
24 residing in a municipality, as determined by the department of administration under
25 s. 16.96.

1 (j) “Poverty factor” means:

2 1. For municipalities that had a 2002 population of 50,000 or more, an amount
3 determined by dividing the percentage of the municipality’s population with an
4 income at or below the poverty level, as determined in the 2000 federal decennial
5 census, by a percentage equal to the product of 1.3 multiplied by the percentage of
6 the state’s population with an income at or below the poverty level, as determined
7 in the 2000 federal decennial census, except that a poverty factor determined under
8 this subdivision shall be no less than 1.0 and no more than 1.35.

9 2. For municipalities that had a 2002 population less than 50,000, 1.0.

10 (k) “Primary per capita conservation, development, and library cost” means a
11 municipality’s actual per capita conservation, development, and library cost, not to
12 exceed an amount equal to one-half of the average per capita conservation,
13 development, and library cost, multiplied by 1.5.

14 (L) “Primary per capita public safety cost” means a municipality’s actual per
15 capita public safety cost, not to exceed an amount equal to one-half of the average
16 per capita public safety cost, multiplied by 1.5.

17 (m) “Secondary per capita conservation, development, and library cost” means
18 a municipality’s actual per capita conservation, development, and library cost in
19 excess of an amount equal to one-half of the average per capita conservation,
20 development, and library cost, but not to exceed an amount equal to the average per
21 capita conservation, development, and library cost, multiplied by 0.5.

22 (n) “Secondary per capita public safety cost” means a municipality’s actual per
23 capita public safety cost in excess of an amount equal to one-half of the average per
24 capita public safety cost, but not to exceed an amount equal to the average per capita
25 public safety cost, multiplied by 0.5.

1 (o) “Sharing factor” means 1.0, minus the quotient of a municipality’s per capita
2 full value divided by the standard value, except that if the quotient of a
3 municipality’s per capita full value divided by the standard value is greater than 1.0,
4 the sharing factor is zero.

5 (p) “Standard value” means the per capita value that results in the distribution
6 of the entire funding level.

7 (2) ELIGIBILITY. Except as provided in sub. (3), in 2004 and in 2005, a
8 municipality is eligible for a payment under this section if the municipality is
9 incorporated and had a population in 2002 of at least 2,500 or the municipality is
10 unincorporated and had a population in 2002 of at least 5,000.

11 (3) EXCEPTIONS. A municipality shall not receive a payment under this section
12 if the sum of the municipality’s actual per capita public safety cost for 2001 and the
13 municipality’s actual per capita conservation, development, and library cost for 2001
14 is less than \$50.

15 (4) PAYMENTS. Except as provided under s. 79.02 (3) (e), each municipality that
16 is eligible to receive a payment under this section shall receive a payment in 2004
17 and in 2005 that is equal to the greater of the municipality’s population in 2002
18 multiplied by \$23 or the municipality’s aidable costs multiplied by the municipality’s
19 sharing factor.

20 (5) MINIMUM PAYMENT. (a) If the payment to any municipality under sub. (4),
21 excluding any reduction under s. 79.02 (3) (e), in any year is less than 88.5% of the
22 combined payments to the municipality under ss. 79.03 and 79.06 in 2003, excluding
23 any reductions under s. 79.02 (3) (c) 3. and excluding payments under s. 79.04, the
24 municipality has an aids deficiency. The amount of the aids deficiency is the amount
25 by which 88.5% of the combined payments to the municipality under ss. 79.03 and

1 79.06 in 2003, excluding any reductions under s. 79.02 (3) (c) 3. and excluding
2 payments under s. 79.04, exceeds the payment under sub. (4), excluding any
3 reduction under s. 79.02 (3) (e), to the municipality in the current year.

4 (b) A municipality that has an aids deficiency shall receive a payment from the
5 amounts withheld under sub. (6) equal to its aids deficiency for that year.

6 (6) MAXIMUM PAYMENT. (a) In this subsection, “maximum allowable increase”
7 in any year means a percentage such that the sum for all municipalities in the year
8 of the excess of payments under sub. (4), excluding any reduction under s. 79.02 (3)
9 (e), over the payments as limited by the maximum allowable increase, is equal to the
10 sum of the aids deficiency under sub. (5) in that year.

11 (b) If the payment to any municipality under sub. (4), excluding any reduction
12 under s. 79.02 (3) (e), in any year exceeds the combined payments to the municipality
13 under ss. 79.03 and 79.06 in 2003, excluding any reductions under s. 79.02 (3) (c) 3.
14 and excluding payments under s. 79.04, by more than the maximum allowable
15 increase, the excess shall be withheld to fund the minimum payments in that year
16 under sub. (5) (b).

17 (7) DISTRIBUTIONS. (a) In 2004, the total amount to be distributed to
18 municipalities under sub. (4) from the municipal aid account and s. 20.835 (1) (t) and
19 (u) is \$567,957,200.

20 (b) In 2005, the total amount to be distributed to municipalities under sub. (4)
21 from the municipal aid account is \$567,957,200.

22 (c) Beginning in 2006, no municipality may receive a payment under this
23 section.

24 **SECTION 1669e.** 79.044 of the statutes is created to read: