

1           **SECTION 1582dL.** 71.22 (4m) (j) of the statutes is amended to read:

2           71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before

3           January 1, 1998, “Internal Revenue Code”, for corporations that are subject to a tax

4           on unrelated business income under s. 71.26 (1) (a), means the federal Internal

5           Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and

6           110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

7           103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188

8           and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.

9           106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.

10          107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding

11          sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected in

12          the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.

13          100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.

14          102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.

15          102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and

16          13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.

17          104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.

18          104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L.

19          105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,

20          and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,

21          excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181. The Internal

22          Revenue Code applies for Wisconsin purposes at the same time as for federal

23          purposes. Amendments to the Internal Revenue Code enacted after

24          December 31, 1996, do not apply to this paragraph with respect to taxable years

25          beginning after December 31, 1996, and before January 1, 1998, except that

1 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.  
2 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of  
3 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
4 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and  
5 changes that indirectly affect provisions applicable to this subchapter made by P.L.  
6 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,  
7 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
8 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
9 107–147, and P.L. 107–181, apply for Wisconsin purposes at the same time as for  
10 federal purposes.

11 **SECTION 1582dm.** 71.22 (4m) (k) of the statutes is amended to read:

12 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and  
13 before January 1, 1999, “Internal Revenue Code”, for corporations that are subject  
14 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
15 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,  
16 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
17 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
18 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36,  
19 P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
20 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
21 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected in  
22 the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.  
23 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.  
24 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
25 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and

1 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.  
2 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
3 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
4 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections  
5 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16,  
6 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L.  
7 107–181. The Internal Revenue Code applies for Wisconsin purposes at the same  
8 time as for federal purposes. Amendments to the Internal Revenue Code enacted  
9 after 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 1582dn.** 71.22 (4m) (L) of the statutes is amended to read:

22 71.22 (4m) (L) For taxable years that begin after December 31, 1998, and  
23 before January 1, 2000, “Internal Revenue Code”, for corporations that are subject  
24 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
25 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,

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

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

6 **SECTION 1582do.** 71.22 (4m) (m) of the statutes is amended to read:

7 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and  
8 before January 1, 2003, “Internal Revenue Code”, for corporations that are subject  
9 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
10 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,  
11 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
12 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
13 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and  
14 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
15 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
16 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L.  
17 107–358, and as indirectly affected in the provisions applicable to this subchapter  
18 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,  
19 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
20 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
21 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
22 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
23 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
24 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, 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.

1 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,  
2 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.  
3 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358. The Internal Revenue Code  
4 applies for Wisconsin purposes at the same time as for federal purposes.  
5 Amendments to the Internal Revenue Code enacted after December 31, 1999, do not  
6 apply to this paragraph with respect to taxable years beginning after  
7 December 31, 1999, and before January 1, 2003, except that changes to the Internal  
8 Revenue Code made by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165  
9 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16,  
10 P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
11 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, and  
12 changes that indirectly affect the provisions applicable to this subchapter 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, apply for Wisconsin  
17 purposes at the same time as for federal purposes.

18 **SECTION 1582dp.** 71.22 (4m) (n) of the statutes is created to read:

19 71.22 (4m) (n) For taxable years that begin after December 31, 2002, “Internal  
20 Revenue Code,” for corporations that are subject to a tax on unrelated business  
21 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended  
22 to December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
23 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
24 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and  
25 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and section 101 of P.L.

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

16 **SECTION 1582dq.** 71.26 (2) (b) 9. of the statutes is repealed.

17 **SECTION 1582dr.** 71.26 (2) (b) 10. of the statutes is amended to read:

18 71.26 (2) (b) 10. For taxable years that begin after December 31, 1994, and  
19 before January 1, 1996, for a corporation, conduit or common law trust which  
20 qualifies as a regulated investment company, real estate mortgage investment  
21 conduit or real estate investment trust under the Internal Revenue Code as amended  
22 to December 31, 1994, excluding sections 103, 104, and 110 of P.L. 102–227 and  
23 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, and as  
24 amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605  
25 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277,

1 and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L.  
2 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as  
3 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
4 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
5 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
6 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
7 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
8 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188,  
9 P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L.  
10 106–554, 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, “net income”  
12 means the federal regulated investment company taxable income, federal real estate  
13 mortgage investment conduit taxable income or federal real estate investment trust  
14 taxable income of the corporation, conduit or trust as determined under the Internal  
15 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and  
16 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)  
17 of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202,  
18 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.  
19 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.  
20 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
21 and P.L. 107–181, and as indirectly affected in the provisions applicable to this  
22 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
23 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
24 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
25 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.



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

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

17 **SECTION 1582ds.** 71.26 (2) (b) 11. of the statutes is amended to read:

18 71.26 (2) (b) 11. For taxable years that begin after December 31, 1995, and  
19 before January 1, 1997, for a corporation, conduit or common law trust which  
20 qualifies as a regulated investment company, real estate mortgage investment  
21 conduit or real estate investment trust under the Internal Revenue Code as amended  
22 to December 31, 1995, excluding sections 103, 104, and 110 of P.L. 102–227 and  
23 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, and as  
24 amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L.  
25 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L.

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

1 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
2 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and  
3 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
4 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.  
5 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
6 and P.L. 107–181, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,  
7 is required to be depreciated for taxable years 1983 to 1986 under the Internal  
8 Revenue Code as amended to December 31, 1980, shall continue to be depreciated  
9 under the Internal Revenue Code as amended to December 31, 1980, and except that  
10 the appropriate amount shall be added or subtracted to reflect differences between  
11 the depreciation or adjusted basis for federal income tax purposes and the  
12 depreciation or adjusted basis under this chapter of any property disposed of during  
13 the taxable year. The Internal Revenue Code as amended to December 31, 1995,  
14 excluding sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d),  
15 13171 (d), 13174, and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188,  
16 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191,  
17 P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L.  
18 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,  
19 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly  
20 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
21 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,  
22 P.L. 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, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.

1 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and  
2 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L.  
3 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, applies  
4 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
5 Internal Revenue Code enacted after December 31, 1995, do not apply to this  
6 subdivision with respect to taxable years that begin after December 31, 1995, and  
7 before January 1, 1997, except that changes to the Internal Revenue Code made by  
8 P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188,  
9 P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277,  
10 and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L.  
11 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and  
12 changes that indirectly affect the provisions applicable to this subchapter made by  
13 P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188,  
14 P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277,  
15 and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L.  
16 107–147, 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 1582dt.** 71.26 (2) (b) 12. of the statutes is amended to read:

19 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and  
20 before January 1, 1998, for a corporation, conduit or common law trust which  
21 qualifies as a regulated investment company, real estate mortgage investment  
22 conduit, real estate investment trust or financial asset securitization investment  
23 trust under the Internal Revenue Code as amended to December 31, 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, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
7 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
8 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
9 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
10 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
11 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
12 105–206, P.L. 105–277, P.L. 106–36, 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, “net  
15 income” means the federal regulated investment company taxable income, federal  
16 real estate mortgage investment conduit taxable income, federal real estate  
17 investment trust or financial asset securitization investment trust taxable income  
18 of the corporation, conduit or trust as determined under the Internal Revenue Code  
19 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.  
20 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
21 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188 and as  
22 amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
23 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
24 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
25 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected in the provisions

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

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

23 **SECTION 1582du.** 71.26 (2) (b) 13. of the statutes is amended to read:

24 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and  
25 before January 1, 1999, for a corporation, conduit or common law trust which



1 qualifies as a regulated investment company, real estate mortgage investment  
2 conduit, real estate investment trust or financial asset securitization investment  
3 trust under the Internal Revenue Code as amended to December 31, 1997, excluding  
4 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
5 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
6 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L.  
7 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of  
8 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
9 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and  
10 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,  
11 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,  
12 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
13 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
14 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
15 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
16 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
17 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
18 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
19 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
20 107–147, and P.L. 107–181, “net income” means the federal regulated investment  
21 company taxable income, federal real estate mortgage investment conduit taxable  
22 income, federal real estate investment trust or financial asset securitization  
23 investment trust taxable income of the corporation, conduit or trust as determined  
24 under the Internal Revenue Code as amended to December 31, 1997, excluding  
25 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),

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

1 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L.  
2 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
3 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
4 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
5 107–147, and P.L. 107–181, 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, 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. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
14 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
15 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, applies for  
16 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
17 Internal Revenue Code enacted after December 31, 1997, do not apply to this  
18 subdivision with respect to taxable years that begin after December 31, 1997, and  
19 before January 1, 1999, except that changes to the Internal Revenue Code made by  
20 P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
21 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
22 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
23 107–147, and P.L. 107–181, and changes that indirectly affect the provisions  
24 applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
25 106–36 and, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L.

1 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
2 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, apply for  
3 Wisconsin purposes at the same time as for federal purposes.

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

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

1     107–147, P.L. 107–181, and P.L. 107–276, “net income” means the federal regulated  
2     investment company taxable income, federal real estate mortgage investment  
3     conduit taxable income, federal real estate investment trust or financial asset  
4     securitization investment trust taxable income of the corporation, conduit or trust  
5     as determined under the Internal Revenue Code as amended to December 31, 1998,  
6     excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
7     (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311,  
8     and 1605 (d) of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L.  
9     106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
10    107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
11    sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and as  
12    indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
13    100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
14    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. 106–230, 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, P.L. 107–181, and P.L. 107–276, except that property that, under  
23    s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years  
24    1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980,  
25    shall continue to be depreciated under the Internal Revenue Code as amended to

1 December 31, 1980, and except that the appropriate amount shall be added or  
2 subtracted to reflect differences between the depreciation or adjusted basis for  
3 federal income tax purposes and the depreciation or adjusted basis under this  
4 chapter of any property disposed of during the taxable year. The Internal Revenue  
5 Code as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.  
6 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
7 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
8 amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding  
9 sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L.  
10 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
11 P.L. 107–181, and P.L. 107–276, and as indirectly affected in the provisions  
12 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
13 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
14 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
15 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
16 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
17 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
18 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
19 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
20 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16,  
21 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.  
22 107–181, and P.L. 107–276, applies for Wisconsin purposes at the same time as for  
23 federal purposes. Amendments to the Internal Revenue Code enacted after  
24 December 31, 1998, do not apply to this subdivision with respect to taxable years that  
25 begin after December 31, 1998, and before January 1, 2000, except that changes to

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

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

11 71.26 (2) (b) 15. For taxable years that begin after December 31, 1999, and  
12 before January 1, 2003, for a corporation, conduit or common law trust which  
13 qualifies as a regulated investment company, real estate mortgage investment  
14 conduit, real estate investment trust or financial asset securitization investment  
15 trust under the Internal Revenue Code as amended to December 31, 1999, excluding  
16 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
17 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
18 1605 (d) of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding  
19 sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section  
20 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding  
21 sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and  
22 P.L. 107–358, and as indirectly affected in the provisions applicable to this  
23 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
24 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
25 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections

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



1 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
2 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
3 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of  
4 P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding  
5 sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and  
6 P.L. 107–358, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,  
7 is required to be depreciated for taxable years 1983 to 1986 under the Internal  
8 Revenue Code as amended to December 31, 1980, shall continue to be depreciated  
9 under the Internal Revenue Code as amended to December 31, 1980, and except that  
10 the appropriate amount shall be added or subtracted to reflect differences between  
11 the depreciation or adjusted basis for federal income tax purposes and the  
12 depreciation or adjusted basis under this chapter of any property disposed of during  
13 the taxable year. The Internal Revenue Code as amended to December 31, 1999,  
14 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
15 (d), 13174, and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,  
16 and 1605 (d) of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554,  
17 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16,  
18 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
19 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,  
20 P.L. 107–276, and P.L. 107–358, and as indirectly affected in the provisions  
21 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
22 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
23 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
24 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
25 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,

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

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

22 71.26 (2) (b) 16. For taxable years that begin after December 31, 2002, for a  
23 corporation, conduit, or common law trust which qualifies as a regulated investment  
24 company, real estate mortgage investment conduit, real estate investment trust, or  
25 financial asset securitization investment trust under the Internal Revenue Code as

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

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

SEC. #'s

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

13 ~~13~~ **SECTION 1583.** 71.30 (10) (h) (intro.) of the statutes is amended to read:

14 71.30 (10) (h) *Certification of amounts.* (intro.) Annually, on or before  
15 September 15, the secretary of revenue shall certify to the department of natural  
16 resources, and the department of administration ~~and the state treasurer:~~

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

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

19 71.34 (1g) (j) "Internal Revenue Code" for tax-option corporations, for taxable  
20 years that begin after December 31, 1994, and before January 1, 1996, means the  
21 federal Internal Revenue Code as amended to December 31, 1994, excluding  
22 sections 103, 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
23 13174, and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-7, P.L. 104-188,  
24 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.  
25 104-193, P.L. 105-34, P.L. 105-206, 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, and as indirectly affected in the  
3 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647  
4 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
5 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.  
6 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and  
7 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
8 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
9 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204,  
10 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.  
11 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.  
12 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
13 and P.L. 107–181, except that section 1366 (f) (relating to pass-through of items to  
14 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
15 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
16 at the same time as for federal purposes. Amendments to the federal Internal  
17 Revenue Code enacted after December 31, 1994, do not apply to this paragraph with  
18 respect to taxable years beginning after December 31, 1994, and before  
19 January 1, 1996, except changes to the Internal Revenue Code made by P.L. 104–7,  
20 P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.  
21 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,  
22 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,  
23 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and changes that  
24 indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L.  
25 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L.

1 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,  
2 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,  
3 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, apply for  
4 Wisconsin purposes at the same time as for federal purposes.

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

6 71.34 (1g) (k) “Internal Revenue Code” for tax–option corporations, for taxable  
7 years that begin after December 31, 1995, and before January 1, 1997, means the  
8 federal Internal Revenue Code as amended to December 31, 1995, excluding  
9 sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),  
10 13174, and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding  
11 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.  
12 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,  
13 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,  
14 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly  
15 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
16 P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and  
17 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.  
18 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
19 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
20 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
21 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
22 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
23 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554, excluding  
24 sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147, excluding sections  
25 101 and 406 of P.L. 107–147, and P.L. 107–181, except that section 1366 (f) (relating

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

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

19 71.34 (1g) (L) “Internal Revenue Code” for tax-option corporations, for taxable  
20 years that begin after December 31, 1996, and before January 1, 1998, means the  
21 federal Internal Revenue Code as amended to December 31, 1996, excluding  
22 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
23 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
24 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206,  
25 P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L.



1 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
2 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and as  
3 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
4 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
5 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.  
6 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
7 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
8 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
9 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
11 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.  
12 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
13 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
14 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except that section 1366 (f)  
15 (relating to pass-through of items to shareholders) is modified by substituting the  
16 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue  
17 Code applies for Wisconsin purposes at the same time as for federal purposes.  
18 Amendments to the federal Internal Revenue Code enacted after  
19 December 31, 1996, do not apply to this paragraph with respect to taxable years  
20 beginning after December 31, 1996, and before January 1, 1998, except that  
21 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.  
22 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of  
23 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
24 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and  
25 changes that indirectly affect the provisions applicable to this subchapter made by

1 P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,  
2 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
3 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
4 107–147, and P.L. 107–181, apply for Wisconsin purposes at the same time as for  
5 federal purposes.

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

7 71.34 (1g) (m) “Internal Revenue Code” for tax-option corporations, for taxable  
8 years that begin after December 31, 1997, and before January 1, 1999, means the  
9 federal Internal Revenue Code as amended to December 31, 1997, excluding sections  
10 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
11 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
12 of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
13 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
14 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
15 excluding sections 101 and 406 of P.L. 107–147, P.L. and 107–181, and as indirectly  
16 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
17 P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and  
18 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.  
19 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
20 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
21 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
22 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
23 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
24 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
25 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,

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

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

20 71.34 (1g) (n) “Internal Revenue Code” for tax-option corporations, for taxable  
21 years that begin after December 31, 1998, and before January 1, 2000, means the  
22 federal Internal Revenue Code as amended to December 31, 1998, excluding sections  
23 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
24 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
25 of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.

1 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
2 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
3 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and as indirectly affected in the  
4 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
5 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
6 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.  
7 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and  
8 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
9 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
10 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
11 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
12 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
13 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
14 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
15 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276,  
16 except that section 1366 (f) (relating to pass-through of items to shareholders) is  
17 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and  
18 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time  
19 as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
20 after December 31, 1998, do not apply to this paragraph with respect to taxable years  
21 beginning after December 31, 1998, and before January 1, 2000, except that  
22 changes to the Internal Revenue Code made by P.L. 106–36, P.L. 106–170, P.L.  
23 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
24 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
25 sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and changes

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

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

7 71.34 (1g) (o) “Internal Revenue Code” for tax–option corporations, for taxable  
8 years that begin after December 31, 1999, and before January 1, 2003, means the  
9 federal Internal Revenue Code as amended to December 31, 1999, excluding sections  
10 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
11 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
12 of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding sections  
13 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of  
14 P.L. 107–16, P.L. 107.22, P.L. 107.116, P.L. 107–134, P.L. 107–147, excluding sections  
15 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L.  
16 107–358, and as indirectly affected in the provisions applicable to this subchapter  
17 by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d)  
18 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of 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 (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. 107–15, P.L. 107–16,  
2 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
3 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,  
4 P.L. 107–276, and P.L. 107–358, except that section 1366 (f) (relating to  
5 pass-through of items to shareholders) is modified by substituting the tax under s.  
6 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies  
7 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
8 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this  
9 paragraph with respect to taxable years beginning after December 31, 1999, and  
10 before January 1, 2003, except that changes to the Internal Revenue Code made by  
11 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
12 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,  
13 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.  
14 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, and changes that indirectly  
15 affect the provisions applicable to this subchapter made by P.L. 106–230, P.L.  
16 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L.  
17 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
18 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181,  
19 P.L. 107–210, P.L. 107–276, and P.L. 107–358, apply for Wisconsin purposes at the  
20 same time as for federal purposes.

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

22 71.34 (1g) (p) “Internal Revenue Code” for tax-option corporations, for taxable  
23 years that begin after December 31, 2002, means the federal Internal Revenue Code  
24 as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
25 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,

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

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

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

24 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before  
25 January 1, 1996, “Internal Revenue Code” means the federal Internal Revenue Code

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



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

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

8 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before  
9 January 1, 1997, “Internal Revenue Code” means the federal Internal Revenue Code  
10 as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.  
11 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
12 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311,  
13 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.  
14 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.  
15 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
16 and P.L. 107–181, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.  
17 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.  
18 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
19 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
20 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.  
21 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.  
22 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and  
23 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L.  
24 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except  
25 that “Internal Revenue Code” does not include section 847 of the federal Internal

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

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

17 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before  
18 January 1, 1998, “Internal Revenue Code” means the federal Internal Revenue Code  
19 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.  
20 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
21 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
22 amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
23 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
24 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
25 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected by P.L. 99–514, P.L.

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

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

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

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

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

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

1 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
2 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
3 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, except that “Internal Revenue  
4 Code” does not include section 847 of the federal Internal Revenue Code. The  
5 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
6 purposes. Amendments to the federal Internal Revenue Code enacted after  
7 December 31, 1998, do not apply to this paragraph with respect to taxable years  
8 beginning after December 31, 1998, and before January 1, 2000, except that  
9 changes to the Internal Revenue Code made by 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, and P.L.  
11 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
12 sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and changes  
13 that indirectly affect the provisions applicable to this subchapter made by P.L.  
14 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
15 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
16 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.  
17 107–276, apply for Wisconsin purposes at the same time as for federal purposes.

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

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

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

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

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

6 71.42 (2) (o) For taxable years that begin after December 31, 2002, “Internal  
7 Revenue Code” means the federal Internal Revenue Code as amended to  
8 December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
9 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
10 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and  
11 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and section 101 of P.L.  
12 107–147, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
13 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
14 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
15 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
16 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
17 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
18 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
19 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
20 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
21 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
22 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, except  
23 that “Internal Revenue Code” does not include section 847 of the federal Internal  
24 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the  
25 same time as for federal purposes. Amendments to the federal Internal Revenue



1 Code enacted after December 31, 2002, do not apply to this paragraph with respect  
2 to taxable years beginning after December 31, 2002.

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

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

5 71.61 (6) PROHIBITION OF NEW CLAIMS. For taxable years beginning after  
6 December 31, 2002, no new claims for a credit may be filed under this subchapter,  
7 but if an otherwise eligible claimant is subject to a farmland preservation agreement  
8 that is in effect on the effective date of this subsection .... [revisor inserts date], the  
9 claimant may continue to file a claim for the credit under this subchapter until the  
10 farmland preservation agreement expires.

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

12 71.74 (13) (a) If the tax is increased the department shall proceed to collect the  
13 additional tax in the same manner as other income or franchise taxes are collected.  
14 If the income or franchise taxes are decreased upon direction of the department the  
15 ~~state treasurer~~ secretary of administration shall refund to the taxpayer such part of  
16 the overpayment as was actually paid in cash, and the certification of the  
17 overpayment by the department shall be sufficient authorization to the ~~treasurer~~  
18 secretary of administration for the refunding of the overpayment. No refund of  
19 income or franchise tax shall be made by the ~~treasurer~~ secretary of administration  
20 unless the refund is so certified. The part of the overpayment paid to the county and  
21 the local taxation district shall be deducted by the ~~state treasurer~~ secretary of  
22 administration in the ~~treasurer's~~ secretary's next settlement with the county and  
23 local treasurer.

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

1           71.74 (13) (b) No action or proceeding whatsoever shall be brought against the  
2 state or the ~~treasurer thereof~~ secretary of administration for the recovery, refund, or  
3 credit of any income or surtaxes; except in case the state ~~treasurer~~ secretary of  
4 administration shall neglect or refuse for a period of 60 days to refund any  
5 overpayment of any income or surtaxes certified, the taxpayer may maintain an  
6 action to collect the overpayment against the ~~treasurer~~ secretary of administration  
7 so neglecting or refusing to refund such overpayment, without filing a claim for  
8 refund with ~~such treasurer~~ the secretary of administration, provided that such  
9 action shall be commenced within one year after the certification of such  
10 overpayment.

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

12           71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department may also  
13 proceed under s. 71.91 (5) for the collection of any additional assessment of income  
14 or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and  
15 before the same shall have become delinquent, when it has reasonable grounds to  
16 believe that the collection of such additional assessment will be jeopardized by delay.  
17 In such cases notice of the intention to so proceed shall be given by registered mail  
18 to the taxpayer, and the warrant of the department shall not issue if the taxpayer  
19 within 10 days after such notice furnishes a bond in such amount, not exceeding  
20 double the amount of the tax, and with such sureties as the department shall  
21 approve, conditioned upon the payment of so much of the additional taxes as shall  
22 finally be determined to be due, together with interest thereon as provided by s. 71.82  
23 (1) (a). Nothing in this subsection shall affect the review of additional assessments  
24 provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01, and 73.015, and any amounts  
25 collected under this subsection shall be deposited with the state ~~treasurer~~ secretary

1 of administration and disbursed after final determination of the taxes as are  
2 amounts deposited under s. 71.90 (2).

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

4 71.80 (1) (e) Representatives of the department directed by it to accept  
5 payment of income or franchise taxes shall file bonds with the ~~state treasurer~~  
6 secretary of administration in such amount and with such sureties as the state  
7 treasurer shall direct and approve.

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

9 71.80 (16) (b) A construction contractor required to file a surety bond under par.  
10 (a) may, in lieu of such requirement, but subject to approval by the department,  
11 deposit with the ~~state treasurer~~ secretary of administration an amount of cash equal  
12 to the face of the bond that would otherwise be required. If an offer to deposit is made,  
13 the department shall issue a certificate to the ~~state treasurer~~ secretary of  
14 administration authorizing said ~~treasurer~~ secretary to accept payment of such  
15 moneys and to give his or her receipt therefor. A copy of such certificate shall be  
16 mailed to the contractor who shall, within the time fixed by the department, pay such  
17 amount to ~~said treasurer~~ the secretary of administration. A copy of the receipt of the  
18 ~~state treasurer~~ secretary of administration shall be filed with the department. Upon  
19 final determination by the department of such contractor's liability for state income  
20 or franchise taxes, required unemployment insurance contributions, sales and use  
21 taxes, and income taxes withheld from wages of employees, interest and penalties,  
22 by reason of such contract or contracts, the department shall certify to the ~~state~~  
23 ~~treasurer~~ secretary of administration the amount of taxes, penalties, and interest as  
24 finally determined, shall instruct the ~~treasurer~~ secretary of administration as to the  
25 proper distribution of such amount, and shall state the amount, if any, to be refunded

1 to such contractor. The ~~state treasurer~~ secretary of administration shall make the  
2 payments directed by such certificate within 30 days after receipt thereof. Amounts  
3 refunded to the contractor shall be without interest.

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

5 71.80 (17) ~~TAX RECEIPTS TRANSMITTED TO STATE TREASURER~~ THE SECRETARY OF  
6 ADMINISTRATION. Within 15 days after receipt of any income or franchise tax  
7 payments, the department shall transmit the same to the ~~state treasurer~~ secretary  
8 of administration.

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

10 71.90 (2) ~~DEPOSIT WITH THE STATE TREASURER~~ SECRETARY OF ADMINISTRATION. At  
11 any time while the petition is pending before the tax appeals commission or an  
12 appeal in regard to that petition is pending in a court, the taxpayer may offer to  
13 deposit the entire amount of the additional taxes, together with interest, with the  
14 ~~state treasurer~~ secretary of administration. If an offer to deposit is made, the  
15 department of revenue shall issue a certificate to the ~~state treasurer~~ secretary of  
16 administration authorizing the ~~treasurer~~ secretary to accept payment of such taxes  
17 together with interest to the first day of the succeeding month and to give a receipt.  
18 A copy of the certificate shall be mailed to the taxpayer who shall pay the taxes and  
19 interest to the ~~treasurer~~ secretary of administration within 30 days. A copy of the  
20 receipt of the ~~state treasurer~~ secretary of administration shall be filed with the  
21 department. The department shall, upon final determination of the appeal, certify  
22 to the ~~state treasurer~~ secretary of administration the amount of the taxes as finally  
23 determined and direct the ~~state treasurer~~ secretary of administration to refund to  
24 the appellant any portion of such payment which has been found to have been  
25 improperly assessed, including interest. The ~~state treasurer~~ secretary of

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

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

9 71.91 (5) (h) All fees and compensation of officials or other persons performing  
10 any act or functions required in carrying out this subchapter, except such as are by  
11 this subchapter to be paid to such officials or persons by the taxpayer, shall, upon  
12 presentation to the department of revenue of an itemized and verified statement of  
13 the amount due, be paid ~~by the state treasurer~~, upon audit by the department of  
14 administration on the certificate of the secretary of revenue, by the secretary of  
15 administration and charged to the proper appropriation for the department of  
16 revenue. No public official shall be entitled to demand prepayment of any fee for the  
17 performance of any official act required in carrying out this subchapter.

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

19 71.91 (7) (e) Paragraphs (b) to (d) shall apply in any case in which the employer  
20 is the United States or any instrumentality thereof or this state or any municipality  
21 or other subordinate unit thereof except those provisions imposing a liability on the  
22 employer for failure to withhold or remit. But an amount equal to any amount  
23 withheld by any municipality or other subordinate unit of this state under this  
24 subsection and not remitted to the department as required by this subsection shall  
25 be retained by the ~~state treasurer~~ secretary of administration from funds otherwise

1 payable to any such municipality or subordinate unit, and transmitted instead to the  
2 department, upon certification by the secretary of revenue.

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

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

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

8 71.93 (1) (a) 5. An amount owed to the department of corrections under s.  
9 ~~304.073 (2)~~ or 304.074 (2).

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

11 **72.24 Refunding.** Whenever any amount has been paid in excess of the tax  
12 determined, the ~~state treasurer~~ secretary of administration, upon certification by  
13 the department or circuit court, shall refund the excess to the payor or other person  
14 entitled thereto.

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

16 73.01 (4) (b) Any matter required to be heard by the commission may be heard  
17 by any member of the commission or its hearing examiner and reported to the  
18 commission, and hearings of matters pending before it shall be assigned to members  
19 of the commission or its hearing examiner by the chairperson. ~~Unless a majority of~~  
20 ~~the commission decides that the full commission should decide a case, cases~~ Cases  
21 other than small claims cases shall be decided by ~~a panel of 3 members~~ the full  
22 commission, except that if one or more members of the commission are unavailable,  
23 cases other than small claims cases shall be decided by the member or members  
24 assigned by the chairperson prior to the hearing. If the parties have agreed to an oral  
25 decision, the member or members conducting the hearing may render an oral

1 decision. Hearings shall be open to the public and all proceedings shall be conducted  
2 in accordance with rules of practice and procedure prescribed by the commission.  
3 Small claims cases shall be decided by one commissioner assigned by the chairperson  
4 prior to the hearing.

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

6 73.01 (4) (em) 1. If only 2 commissioners are available to participate in a  
7 decision in a case that would otherwise be decided by the full commission, and if the  
8 2 commissioners cannot agree on the resolution of the case, the chairperson of the  
9 commission shall make the decision in the case, except that, if the chairperson is not  
10 participating in the case, the commissioner participating in the case who has been  
11 a commissioner for the longer period of time shall make the decision.

12 2. If only one commissioner is available to participates in a decision in a case  
13 that would otherwise be decided by the full commission, the commissioner who  
14 participates in the case shall make the decision.

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

16 73.03 (2a) To prepare, have published and distribute to each property tax  
17 assessor and to others who so request assessment manuals. The manual shall  
18 discuss and illustrate accepted assessment methods, techniques and practices with  
19 a view to more nearly uniform and more consistent assessments of property at the  
20 local level. The manual shall be amended by the department from time to time to  
21 reflect advances in the science of assessment, court decisions concerning assessment  
22 practices, costs, and statistical and other information considered valuable to local  
23 assessors by the department. The manual shall incorporate standards for the  
24 assessment of all types of renewable energy resource systems used in this state as  
25 soon as such systems are used in sufficient numbers and sufficient data exists to

1 allow the formulation of valid guidelines. The manual shall incorporate standards,  
2 which the department of revenue and the state historical society of Wisconsin shall  
3 develop, for the assessment of nonhistoric property in historic districts and for the  
4 assessment of historic property, including but not limited to property that is being  
5 preserved or restored; property that is subject to a protective easement, covenant or  
6 other restriction for historic preservation purposes; property that is listed in the  
7 national register of historic places in Wisconsin or in this state's register of historic  
8 places and property that is designated as a historic landmark and is subject to  
9 restrictions imposed by a municipality or by a landmarks commission. The manual  
10 shall incorporate general guidelines about ways to determine whether property is  
11 taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in  
12 specific situations. The manual shall state that assessors are required to comply with  
13 s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement  
14 to it shall specify per acre value guidelines for each municipality for various  
15 categories of agricultural land based on the income that could be generated from its  
16 estimated rental for agricultural use, as defined by rule, and capitalization rates  
17 established by rule. The manual shall include guidelines for classifying land as  
18 agricultural land, as defined in s. 70.32 (2) (c) ~~1.~~ 1g., and guidelines for distinguishing  
19 between land and improvements to land. The cost of the development, preparation,  
20 publication and distribution of the manual and of revisions and amendments to it  
21 shall be borne by the assessors and requesters at an individual volume cost or a  
22 subscription cost as determined by the department. All receipts shall be credited to  
23 the appropriation under s. 20.566 (2) (hi). The department may provide free  
24 assessment manuals to other state agencies or exchange them at no cost with



1 agencies of other states or of the federal government for similar information or  
2 publications.

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

4 73.03 (6) In its discretion to inspect and examine or cause an inspection and  
5 examination of the records of any town, city, village, or county officer whenever such  
6 officer shall have failed or neglected to return properly the information as required  
7 by sub. (5), within the time set by the department of revenue. Upon the completion  
8 of such inspection and examination the department of revenue shall transmit to the  
9 clerk of the town, city, village, or county a statement of the expenses incurred by the  
10 department of revenue to secure the necessary information. Duplicates of such  
11 statements shall be filed in the office of the ~~department~~ secretary of administration  
12 ~~and state treasurer~~. Within 60 days after the receipt of the above statement, the  
13 same shall be audited, as other claims of towns, cities, villages, and counties are  
14 audited, and shall be paid into the state treasury, in default of which the same shall  
15 become a special charge against such town, city, village, or county and be included  
16 in the next apportionment or certification of state taxes and charges, and collected  
17 with interest at the rate of 10% per year from the date such statements were certified  
18 by the department, as other special charges are certified and collected.

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

20 73.03 (59) To enforce ss. 945.03 (2m) and 945.04 (2m).

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

22 73.03 (60) To enforce s. 945.05 (1m), in cases in which the department  
23 determines that the video gambling machine involved is likely to be used in  
24 connection with a violation of s. 945.03 (2m) or 945.04 (2m).

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

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

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

16           **73.09 (2) DEPARTMENT OF REVENUE ASSESSMENT PERSONNEL.** The requirements  
17 established for local assessment personnel under sub. (1) shall also apply to  
18 department of revenue assessment personnel commencing on January 1, 1981. The  
19 ~~department of employment relations~~ office of state human resources management  
20 with the assistance of the department of revenue shall determine the position  
21 classifications for which certification shall apply within the department of revenue.  
22 The first level of certification shall be obtained within 100 days of the employee's  
23 appointment. The department of revenue in consultation with the ~~department of~~  
24 ~~employment relations~~ office of state human resources management shall establish  
25 requirements for obtaining higher levels of assessor certification.