



1 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and  
2 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,  
3 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,  
4 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
5 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
6 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
7 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
8 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
9 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
10 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
11 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
12 107–147, and P.L. 107–181, except that property that, under s. 71.02 (1) (c) 8. to 11.,  
13 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the  
14 Internal Revenue Code as amended to December 31, 1980, shall continue to be  
15 depreciated under the Internal Revenue Code as amended to December 31, 1980,  
16 and except that the appropriate amount shall be added or subtracted to reflect  
17 differences between the depreciation or adjusted basis for federal income tax  
18 purposes and the depreciation or adjusted basis under this chapter of any property  
19 disposed of during the taxable year. The Internal Revenue Code as amended to  
20 December 31, 1997, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
21 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, and sections 1123  
22 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L.  
23 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, 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, and P.L. 107–181, and as indirectly affected in the provisions applicable to  
2 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
3 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
4 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
5 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
6 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
7 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
8 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
9 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
10 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
11 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, applies for  
12 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
13 Internal Revenue Code enacted after December 31, 1997, do not apply to this  
14 subdivision with respect to taxable years that begin after December 31, 1997, and  
15 before January 1, 1999, except that changes to the Internal Revenue Code 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, and changes that indirectly affect the provisions  
20 applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
21 106–36 and, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L.  
22 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
23 107–147, 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.

1           **\*b0188/P1.2\* SECTION 1582dv.** 71.26 (2) (b) 14. of the statutes is amended to  
2 read:

3           71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and  
4 before January 1, 2000, for a corporation, conduit or common law trust which  
5 qualifies as a regulated investment company, real estate mortgage investment  
6 conduit, real estate investment trust or financial asset securitization investment  
7 trust under the Internal Revenue Code as amended to December 31, 1998, excluding  
8 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
9 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
10 1605 (d) of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230,  
11 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16,  
12 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
13 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and as indirectly  
14 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
15 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,  
16 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
17 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
18 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.  
19 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
20 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
21 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
22 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
23 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
24 107–147, P.L. 107–181, and P.L. 107–276, “net income” means the federal regulated  
25 investment company taxable income, federal real estate mortgage investment

1 conduit taxable income, federal real estate investment trust or financial asset  
2 securitization investment trust taxable income of the corporation, conduit or trust  
3 as determined under the Internal Revenue Code as amended to December 31, 1998,  
4 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
5 (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311,  
6 and 1605 (d) of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L.  
7 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
8 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
9 sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and as  
10 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
11 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
12 101–508, 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. 106–230, P.L.  
18 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
19 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
20 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, except that property that, under  
21 s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years  
22 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980,  
23 shall continue to be depreciated under the Internal Revenue Code as amended to  
24 December 31, 1980, and except that the appropriate amount shall be added or  
25 subtracted to reflect differences between the depreciation or adjusted basis for

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

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

8 \*b0188/P1.2\* SECTION 1582dw. 71.26 (2) (b) 15. of the statutes is amended to  
9 read:

10 71.26 (2) (b) 15. For taxable years that begin after December 31, 1999, and  
11 before January 1, 2003, for a corporation, conduit or common law trust which  
12 qualifies as a regulated investment company, real estate mortgage investment  
13 conduit, real estate investment trust or financial asset securitization investment  
14 trust under the Internal Revenue Code as amended to December 31, 1999, excluding  
15 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
16 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
17 1605 (d) of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding  
18 sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section  
19 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding  
20 sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and  
21 P.L. 107–358, 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 1123 (b), 1202  
2 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
3 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
4 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
5 and P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
6 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
7 P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, “net income” means the  
8 federal regulated investment company taxable income, federal real estate mortgage  
9 investment conduit taxable income, federal real estate investment trust or financial  
10 asset securitization investment trust taxable income of the corporation, conduit or  
11 trust as determined under the Internal Revenue Code as amended to December 31,  
12 1999, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d),  
13 13171 (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204  
14 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554,  
15 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16,  
16 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
17 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,  
18 P.L. 107–276, and P.L. 107–358, and as indirectly affected in the provisions  
19 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
20 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
21 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
22 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
23 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
24 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
25 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.

1 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
2 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of  
3 P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding  
4 sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and  
5 P.L. 107–358, 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, 1999,  
13 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
14 (d), 13174, and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,  
15 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, applies for Wisconsin purposes at the same time as for federal  
7 purposes. Amendments to the Internal Revenue Code enacted after December 31,  
8 1999, do not apply to this subdivision with respect to taxable years that begin after  
9 December 31, 1999, and before January 1, 2003, except that changes to the Internal  
10 Revenue Code made by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165  
11 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16,  
12 P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
13 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, and  
14 changes that indirectly affect the provisions applicable to this subchapter made by  
15 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
16 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,  
17 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.  
18 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, apply for Wisconsin  
19 purposes at the same time as for federal purposes.

20 \*b0188/P1.2\* SECTION 1582dx. 71.26 (2) (b) 16. of the statutes is created to  
21 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

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 **\*-0529/4.127\* SECTION 1583.** 71.30 (10) (h) (intro.) of the statutes is amended  
14 to read:

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

18 **\*b0188/P1.3\* SECTION 1583da.** 71.34 (1g) (i) of the statutes is repealed.

19 **\*b0188/P1.3\* SECTION 1583db.** 71.34 (1g) (j) of the statutes is amended to  
20 read:

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

1 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.  
2 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554, excluding  
3 sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147, excluding sections  
4 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected in the  
5 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647  
6 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
7 of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.  
8 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and  
9 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
10 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
11 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204,  
12 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.  
13 105–206, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L.  
14 106–554, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
15 and P.L. 107–181, except that section 1366 (f) (relating to pass-through of items to  
16 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
17 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
18 at the same time as for federal purposes. Amendments to the federal Internal  
19 Revenue Code enacted after December 31, 1994, do not apply to this paragraph with  
20 respect to taxable years beginning after December 31, 1994, and before  
21 January 1, 1996, except changes to the Internal Revenue Code made by P.L. 104–7,  
22 P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.  
23 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,  
24 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,  
25 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and changes that

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

7       **\*b0188/P1.3\* SECTION 1583dc.** 71.34 (1g) (k) of the statutes is amended to  
8 read:

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

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

21 **\*b0188/P1.3\* SECTION 1583dd.** 71.34 (1g) (L) of the statutes is amended to  
22 read:

23 71.34 (1g) (L) “Internal Revenue Code” for tax-option corporations, for taxable  
24 years that begin after December 31, 1996, and before January 1, 1998, means the  
25 federal Internal Revenue Code as amended to December 31, 1996, excluding

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



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

10 \*b0188/P1.3\* SECTION 1583de. 71.34 (1g) (m) of the statutes is amended to  
11 read:

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

1 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
2 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
3 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
4 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
5 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
6 and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
7 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except that section  
8 1366 (f) (relating to pass-through of items to shareholders) is modified by  
9 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The  
10 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
11 purposes. Amendments to the federal Internal Revenue Code enacted after  
12 December 31, 1997, do not apply to this paragraph with respect to taxable years  
13 beginning after December 31, 1997, and before January 1, 1999, except that  
14 changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206, P.L.  
15 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of  
16 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
17 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and  
18 changes that indirectly affect the provisions applicable to this subchapter made by  
19 P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
20 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section  
21 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
22 107–147, and P.L. 107–181, apply for Wisconsin purposes at the same time as for  
23 federal purposes.

24 **\*b0188/P1.3\* SECTION 1583df.** 71.34 (1g) (n) of the statutes is amended to  
25 read:

1           71.34 (1g) (n) “Internal Revenue Code” for tax-option corporations, for taxable  
2 years that begin after December 31, 1998, and before January 1, 2000, means the  
3 federal Internal Revenue Code as amended to December 31, 1998, excluding sections  
4 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
5 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
6 of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
7 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
8 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
9 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and as indirectly affected in the  
10 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
11 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
12 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.  
13 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and  
14 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
16 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
17 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
18 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
19 106–170, P.L. 106–230, 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, P.L. 107–181, and P.L. 107–276,  
22 except that section 1366 (f) (relating to pass-through of items to shareholders) is  
23 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and  
24 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time  
25 as for federal purposes. Amendments to the federal Internal Revenue Code enacted

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

12 \*b0188/P1.3\* SECTION 1583dg. 71.34 (1g) (o) of the statutes is amended to  
13 read:

14 71.34 (1g) (o) “Internal Revenue Code” for tax-option corporations, for taxable  
15 years that begin after December 31, 1999, and before January 1, 2003, means the  
16 federal Internal Revenue Code as amended to December 31, 1999, excluding sections  
17 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
18 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
19 of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding sections  
20 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of  
21 P.L. 107–16, P.L. 107.22, P.L. 107.116, P.L. 107–134, P.L. 107–147, excluding sections  
22 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L.  
23 107–358, and as indirectly affected in the provisions applicable to this subchapter  
24 by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d)  
25 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of 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. 105–178, P.L.  
7 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
8 excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L. 107–16,  
9 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
10 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,  
11 P.L. 107–276, and P.L. 107–358, except that section 1366 (f) (relating to  
12 pass-through of items to shareholders) is modified by substituting the tax under s.  
13 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies  
14 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
15 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this  
16 paragraph with respect to taxable years beginning after December 31, 1999, and  
17 before January 1, 2003, except that changes to the Internal Revenue Code made by  
18 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
19 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,  
20 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.  
21 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, and changes that indirectly  
22 affect the provisions applicable to this subchapter made by P.L. 106–230, P.L.  
23 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–15, P.L.  
24 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
25 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181,

1 P.L. 107–210, P.L. 107–276, and P.L. 107–358, apply for Wisconsin purposes at the  
2 same time as for federal purposes.

3 **\*b0188/P1.3\* SECTION 1583dh.** 71.34 (1g) (p) of the statutes is created to read:

4 71.34 (1g) (p) “Internal Revenue Code” for tax–option corporations, for taxable  
5 years that begin after December 31, 2002, means the federal Internal Revenue Code  
6 as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
7 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
8 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,  
9 sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and  
10 section 101 of P.L. 107–147, and as indirectly affected in the provisions applicable to  
11 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803  
12 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section  
13 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,  
14 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
15 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
16 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
17 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
18 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
19 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
20 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
21 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
22 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
23 107–276, and P.L. 107–358, except that section 1366 (f) (relating to pass–through of  
24 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes  
25 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin

1 purposes at the same time as for federal purposes. Amendments to the federal  
2 Internal Revenue Code enacted after December 31, 2002, do not apply to this  
3 paragraph with respect to taxable years beginning after December 31, 2002.

4 \*b0188/P1.3\* SECTION 1583di. 71.42 (2) (h) of the statutes is repealed.

5 \*b0188/P1.3\* SECTION 1583dj. 71.42 (2) (i) of the statutes is amended to read:

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

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

14 **\*b0188/P1.3\* SECTION 1583dk.** 71.42 (2) (j) of the statutes is amended to read:

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



1 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
2 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.  
3 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.  
4 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and  
5 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L.  
6 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, except  
7 that “Internal Revenue Code” does not include section 847 of the federal Internal  
8 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the  
9 same time as for federal purposes. Amendments to the federal Internal Revenue  
10 Code enacted after December 31, 1995, do not apply to this paragraph with respect  
11 to taxable years beginning after December 31, 1995, and before January 1, 1997,  
12 except that changes to the Internal Revenue Code made by P.L. 104–188, excluding  
13 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.  
14 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L. 106–554,  
15 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–134, P.L. 107–147,  
16 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and changes that  
17 indirectly affect the provisions applicable to this subchapter made by P.L. 104–188,  
18 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191,  
19 P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, and P.L.  
20 106–554, excluding sections 162 and 165 of P.L. 106–554, 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 \*b0188/P1.3\* SECTION 1583dL. 71.42 (2) (k) of the statutes is amended to  
24 read:

1           71.42 (2) (k) For taxable years that begin after December 31, 1996, and before  
2 January 1, 1998, “Internal Revenue Code” means the federal Internal Revenue Code  
3 as amended to December 31, 1996, 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. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
7 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
8 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
9 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected by P.L. 99–514, P.L.  
10 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
11 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
12 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
13 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
14 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
15 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
16 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of  
17 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
18 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181,  
19 except that “Internal Revenue Code” does not include section 847 of the federal  
20 Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes  
21 at the same time as for federal purposes. Amendments to the federal Internal  
22 Revenue Code enacted after December 31, 1996, do not apply to this paragraph with  
23 respect to taxable years beginning after December 31, 1996, and before  
24 January 1, 1998, except that changes to the Internal Revenue Code made by P.L.  
25 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–554,

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

9 \*b0188/P1.3\* SECTION 1583dm. 71.42 (2) (L) of the statutes is amended to  
10 read:

11 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before  
12 January 1, 1999, “Internal Revenue Code” means the federal Internal Revenue Code  
13 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.  
14 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
15 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
16 amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170,  
17 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16,  
18 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
19 101 and 406 of P.L. 107–147, and P.L. 107–181, and as indirectly affected by P.L.  
20 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
21 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
22 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
23 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
24 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
25 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.

1 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, 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, and P.L. 107–181, except that “Internal Revenue Code” does not  
5 include section 847 of the federal Internal Revenue Code. The Internal Revenue  
6 Code applies for Wisconsin purposes at the same time as for federal purposes.  
7 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,  
8 do not apply to this paragraph with respect to taxable years beginning after  
9 December 31, 1997, and before January 1, 1999, except that changes to the Internal  
10 Revenue Code made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
11 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
12 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
13 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, and changes that indirectly  
14 affect the provisions applicable to this subchapter made by P.L. 105–178, P.L.  
15 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections  
16 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16,  
17 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L.  
18 107–181, apply for Wisconsin purposes at the same time as for federal purposes.

19 **\*b0188/P1.3\* SECTION 1583dn.** 71.42 (2) (m) of the statutes is amended to  
20 read:

21 71.42 (2) (m) For taxable years that begin after December 31, 1998, and before  
22 January 1, 2000, “Internal Revenue Code” means the federal Internal Revenue Code  
23 as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.  
24 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
25 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as

1 amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding  
2 sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L.  
3 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
4 P.L. 107–181, and P.L. 107–276, and as indirectly affected by P.L. 99–514, P.L.  
5 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
6 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
7 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
8 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
9 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
10 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
11 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
12 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 107–16, excluding  
13 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
14 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, except that “Internal Revenue  
15 Code” does not include section 847 of the federal Internal Revenue Code. The  
16 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal  
17 purposes. Amendments to the federal Internal Revenue Code enacted after  
18 December 31, 1998, do not apply to this paragraph with respect to taxable years  
19 beginning after December 31, 1998, and before January 1, 2000, except that  
20 changes to the Internal Revenue Code made by P.L. 106–36, P.L. 106–170, P.L.  
21 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L.  
22 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
23 sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, and changes  
24 that indirectly affect the provisions applicable to this subchapter made by P.L.  
25 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of

1 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
2 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.  
3 107–276, apply for Wisconsin purposes at the same time as for federal purposes.

4 \*b0188/P1.3\* SECTION 1583do. 71.42 (2) (n) of the statutes is amended to read:

5 71.42 (2) (n) For taxable years that begin after December 31, 1999, and before  
6 January 1, 2003, “Internal Revenue Code” means the federal Internal Revenue Code  
7 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
8 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
9 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
10 amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.  
11 106–554, 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, and as  
14 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
15 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
16 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
17 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
18 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
19 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
20 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
21 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
22 P.L. 106–554, and P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
23 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of  
24 P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, 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, 1999, do not apply to this paragraph with respect  
4 to taxable years beginning after December 31, 1999, and before January 1, 2003,  
5 except that changes to the Internal Revenue Code made by P.L. 106-230, P.L.  
6 106-554, excluding sections 162 and 165 of P.L. 106-554, and P.L. 107-15, P.L.  
7 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.  
8 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181,  
9 P.L. 107-210, P.L. 107-276, and P.L. 107-358, and changes that indirectly affect the  
10 provisions applicable to this subchapter made by P.L. 106-230, P.L. 106-554,  
11 excluding sections 162 and 165 of P.L. 106-554, and P.L. 107-15, P.L. 107-16,  
12 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.  
13 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210,  
14 P.L. 107-276, and P.L. 107-358, apply for Wisconsin purposes at the same time as  
15 for federal purposes.

16 **\*b0188/P1.3\* SECTION 1583dp.** 71.42 (2) (o) of the statutes is created to read:

17 71.42 (2) (o) For taxable years that begin after December 31, 2002, “Internal  
18 Revenue Code” means the federal Internal Revenue Code as amended to  
19 December 31, 2002, excluding sections 103, 104, and 110 of P.L. 102-227, sections  
20 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),  
21 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and  
22 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and section 101 of P.L.  
23 107-147, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
24 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
25 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.

1 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
3 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
4 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
5 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
6 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
7 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
8 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, except  
9 that “Internal Revenue Code” does not include section 847 of the federal Internal  
10 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the  
11 same time as for federal purposes. Amendments to the federal Internal Revenue  
12 Code enacted after December 31, 2002, do not apply to this paragraph with respect  
13 to taxable years beginning after December 31, 2002.

14 \*b0196/1.1\* SECTION 1583g. 71.55 (10) of the statutes is repealed.

15 \*b0345/3.1\* SECTION 1583p. 71.61 (6) of the statutes is created to read:

16 71.61 (6) PROHIBITION OF NEW CLAIMS. For taxable years beginning after  
17 December 31, 2002, no new claims for a credit may be filed under this subchapter,  
18 but if an otherwise eligible claimant is subject to a farmland preservation agreement  
19 that is in effect on the effective date of this subsection .... [revisor inserts date], the  
20 claimant may continue to file a claim for the credit under this subchapter until the  
21 farmland preservation agreement expires.

22 \*-0529/4.128\* SECTION 1584. 71.74 (13) (a) of the statutes is amended to read:

23 71.74 (13) (a) If the tax is increased the department shall proceed to collect the  
24 additional tax in the same manner as other income or franchise taxes are collected.  
25 If the income or franchise taxes are decreased upon direction of the department the



1 ~~state treasurer~~ secretary of administration shall refund to the taxpayer such part of  
2 the overpayment as was actually paid in cash, and the certification of the  
3 overpayment by the department shall be sufficient authorization to the ~~treasurer~~  
4 secretary of administration for the refunding of the overpayment. No refund of  
5 income or franchise tax shall be made by the ~~treasurer~~ secretary of administration  
6 unless the refund is so certified. The part of the overpayment paid to the county and  
7 the local taxation district shall be deducted by the ~~state treasurer~~ secretary of  
8 administration in the ~~treasurer's~~ secretary's next settlement with the county and  
9 local treasurer.

10 \*~~0529/4.129~~\* SECTION 1585. 71.74 (13) (b) of the statutes is amended to read:

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

21 \*~~0529/4.130~~\* SECTION 1586. 71.74 (14) of the statutes is amended to read:

22 71.74 (14) ADDITIONAL REMEDY TO COLLECT TAX. The department may also  
23 proceed under s. 71.91 (5) for the collection of any additional assessment of income  
24 or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and  
25 before the same shall have become delinquent, when it has reasonable grounds to

1 believe that the collection of such additional assessment will be jeopardized by delay.  
2 In such cases notice of the intention to so proceed shall be given by registered mail  
3 to the taxpayer, and the warrant of the department shall not issue if the taxpayer  
4 within 10 days after such notice furnishes a bond in such amount, not exceeding  
5 double the amount of the tax, and with such sureties as the department shall  
6 approve, conditioned upon the payment of so much of the additional taxes as shall  
7 finally be determined to be due, together with interest thereon as provided by s. 71.82  
8 (1) (a). Nothing in this subsection shall affect the review of additional assessments  
9 provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01, and 73.015, and any amounts  
10 collected under this subsection shall be deposited with the ~~state treasurer~~ secretary  
11 of administration and disbursed after final determination of the taxes as are  
12 amounts deposited under s. 71.90 (2).

13 \*~~0529/4.131~~\* SECTION 1587. 71.80 (1) (e) of the statutes is amended to read:

14 71.80 (1) (e) Representatives of the department directed by it to accept  
15 payment of income or franchise taxes shall file bonds with the ~~state treasurer~~  
16 secretary of administration in such amount and with such sureties as the state  
17 treasurer shall direct and approve.

18 \*~~0529/4.132~~\* SECTION 1588. 71.80 (16) (b) of the statutes is amended to read:

19 71.80 (16) (b) A construction contractor required to file a surety bond under par.  
20 (a) may, in lieu of such requirement, but subject to approval by the department,  
21 deposit with the ~~state treasurer~~ secretary of administration an amount of cash equal  
22 to the face of the bond that would otherwise be required. If an offer to deposit is made,  
23 the department shall issue a certificate to the ~~state treasurer~~ secretary of  
24 administration authorizing said ~~treasurer~~ secretary to accept payment of such  
25 moneys and to give his or her receipt therefor. A copy of such certificate shall be

1 mailed to the contractor who shall, within the time fixed by the department, pay such  
2 amount to ~~said treasurer~~ the secretary of administration. A copy of the receipt of the  
3 ~~state treasurer~~ secretary of administration shall be filed with the department. Upon  
4 final determination by the department of such contractor's liability for state income  
5 or franchise taxes, required unemployment insurance contributions, sales and use  
6 taxes, and income taxes withheld from wages of employees, interest and penalties,  
7 by reason of such contract or contracts, the department shall certify to the ~~state~~  
8 ~~treasurer~~ secretary of administration the amount of taxes, penalties, and interest as  
9 finally determined, shall instruct the ~~treasurer~~ secretary of administration as to the  
10 proper distribution of such amount, and shall state the amount, if any, to be refunded  
11 to such contractor. The ~~state treasurer~~ secretary of administration shall make the  
12 payments directed by such certificate within 30 days after receipt thereof. Amounts  
13 refunded to the contractor shall be without interest.

14 **\*-0529/4.133\* SECTION 1589.** 71.80 (17) of the statutes is amended to read:

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

19 **\*b0192/3.17\* SECTION 1599b.** 71.90 (2) of the statutes is amended to read:

20 71.90 (2) ~~DEPOSIT WITH THE STATE TREASURER~~ SECRETARY OF ADMINISTRATION. At  
21 any time while the petition is pending before the tax appeals commission or an  
22 appeal in regard to that petition is pending in a court, the taxpayer may offer to  
23 deposit the entire amount of the additional taxes, together with interest, with the  
24 ~~state treasurer~~ secretary of administration. If an offer to deposit is made, the  
25 department of revenue shall issue a certificate to the ~~state treasurer~~ secretary of

1 administration authorizing the ~~treasurer~~ secretary to accept payment of such taxes  
2 together with interest to the first day of the succeeding month and to give a receipt.  
3 A copy of the certificate shall be mailed to the taxpayer who shall pay the taxes and  
4 interest to the ~~treasurer~~ secretary of administration within 30 days. A copy of the  
5 receipt of the ~~state treasurer~~ secretary of administration shall be filed with the  
6 department. The department shall, upon final determination of the appeal, certify  
7 to the ~~state treasurer~~ secretary of administration the amount of the taxes as finally  
8 determined and direct the ~~state treasurer~~ secretary of administration to refund to  
9 the appellant any portion of such payment which has been found to have been  
10 improperly assessed, including interest. The ~~state treasurer~~ secretary of  
11 administration shall make the refunds directed by the certificate within 30 days  
12 after receipt. Taxes paid to the ~~state treasurer~~ secretary of administration under this  
13 subsection shall be subject to the interest provided by ss. 71.82 and 71.91 (1) (c) only  
14 to the extent of the interest accrued on the taxes prior to the first day of the month  
15 succeeding the application for hearing. Any portion of the amount deposited with the  
16 ~~state treasurer~~ secretary of administration which is refunded to the taxpayer shall  
17 bear interest at the rate of 9% per year during the time that the funds are on deposit.

18 \*~~0529/4.135~~\* SECTION 1602. 71.91 (5) (h) of the statutes is amended to read:

19 71.91 (5) (h) All fees and compensation of officials or other persons performing  
20 any act or functions required in carrying out this subchapter, except such as are by  
21 this subchapter to be paid to such officials or persons by the taxpayer, shall, upon  
22 presentation to the department of revenue of an itemized and verified statement of  
23 the amount due, be paid by ~~the state treasurer~~, upon audit by the department of  
24 administration on the certificate of the secretary of revenue, by the secretary of  
25 administration and charged to the proper appropriation for the department of

1 revenue. No public official shall be entitled to demand prepayment of any fee for the  
2 performance of any official act required in carrying out this subchapter.

3 **\*-0529/4.136\* SECTION 1603.** 71.91 (7) (e) of the statutes is amended to read:

4 71.91 (7) (e) Paragraphs (b) to (d) shall apply in any case in which the employer  
5 is the United States or any instrumentality thereof or this state or any municipality  
6 or other subordinate unit thereof except those provisions imposing a liability on the  
7 employer for failure to withhold or remit. But an amount equal to any amount  
8 withheld by any municipality or other subordinate unit of this state under this  
9 subsection and not remitted to the department as required by this subsection shall  
10 be retained by the ~~state treasurer~~ secretary of administration from funds otherwise  
11 payable to any such municipality or subordinate unit, and transmitted instead to the  
12 department, upon certification by the secretary of revenue.

13 **\*-0229/2.9\* SECTION 1604.** 71.93 (1) (a) 4. of the statutes is amended to read:

14 71.93 (1) (a) 4. An amount that the department of workforce development may  
15 recover under s. 49.161, 49.195 (3), or 49.793, or may collect under s. 49.147 (6) (cm),  
16 if the department of workforce development has certified the amount under s. 49.85.

17 **\*-0336/P2.2\* SECTION 1606.** 71.93 (1) (a) 5. of the statutes is amended to read:

18 71.93 (1) (a) 5. An amount owed to the department of corrections under s.  
19 ~~304.073 (2) or~~ 304.074 (2).

20 **\*-0529/4.137\* SECTION 1607.** 72.24 of the statutes is amended to read:

21 **72.24 Refunding.** Whenever any amount has been paid in excess of the tax  
22 determined, the ~~state treasurer~~ secretary of administration, upon certification by  
23 the department or circuit court, shall refund the excess to the payor or other person  
24 entitled thereto.

25 **\*b0192/3.21\* SECTION 1614b.** 73.01 (4) (b) of the statutes is amended to read:

1           73.01 (4) (b) Any matter required to be heard by the commission may be heard  
2 by any member of the commission or its hearing examiner and reported to the  
3 commission, and hearings of matters pending before it shall be assigned to members  
4 of the commission or its hearing examiner by the chairperson. ~~Unless a majority of~~  
5 ~~the commission decides that the full commission should decide a case, cases~~ Cases  
6 other than small claims cases shall be decided by ~~a panel of 3 members~~ the full  
7 commission, except that if one or more members of the commission are unavailable,  
8 cases other than small claims cases shall be decided by the member or members  
9 assigned by the chairperson prior to the hearing. If the parties have agreed to an oral  
10 decision, the member or members conducting the hearing may render an oral  
11 decision. Hearings shall be open to the public and all proceedings shall be conducted  
12 in accordance with rules of practice and procedure prescribed by the commission.  
13 Small claims cases shall be decided by one commissioner assigned by the chairperson  
14 prior to the hearing.

15           **\*b0192/3.21\* SECTION 1614d.** 73.01 (4) (em) of the statutes is created to read:

16           73.01 (4) (em) 1. If only 2 commissioners are available to participate in a  
17 decision in a case that would otherwise be decided by the full commission, and if the  
18 2 commissioners cannot agree on the resolution of the case, the chairperson of the  
19 commission shall make the decision in the case, except that, if the chairperson is not  
20 participating in the case, the commissioner participating in the case who has been  
21 a commissioner for the longer period of time shall make the decision.

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

25           **\*-1680/2.23\* SECTION 1620.** 73.03 (2a) of the statutes is amended to read:

1           73.03 (2a) To prepare, have published and distribute to each property tax  
2           assessor and to others who so request assessment manuals. The manual shall  
3           discuss and illustrate accepted assessment methods, techniques and practices with  
4           a view to more nearly uniform and more consistent assessments of property at the  
5           local level. The manual shall be amended by the department from time to time to  
6           reflect advances in the science of assessment, court decisions concerning assessment  
7           practices, costs, and statistical and other information considered valuable to local  
8           assessors by the department. The manual shall incorporate standards for the  
9           assessment of all types of renewable energy resource systems used in this state as  
10          soon as such systems are used in sufficient numbers and sufficient data exists to  
11          allow the formulation of valid guidelines. The manual shall incorporate standards,  
12          which the department of revenue and the state historical society of Wisconsin shall  
13          develop, for the assessment of nonhistoric property in historic districts and for the  
14          assessment of historic property, including but not limited to property that is being  
15          preserved or restored; property that is subject to a protective easement, covenant or  
16          other restriction for historic preservation purposes; property that is listed in the  
17          national register of historic places in Wisconsin or in this state's register of historic  
18          places and property that is designated as a historic landmark and is subject to  
19          restrictions imposed by a municipality or by a landmarks commission. The manual  
20          shall incorporate general guidelines about ways to determine whether property is  
21          taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in  
22          specific situations. The manual shall state that assessors are required to comply with  
23          s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement  
24          to it shall specify per acre value guidelines for each municipality for various  
25          categories of agricultural land based on the income that could be generated from its

1 estimated rental for agricultural use, as defined by rule, and capitalization rates  
2 established by rule. The manual shall include guidelines for classifying land as  
3 agricultural land, as defined in s. 70.32 (2) (c) ~~1. 1g.~~, and guidelines for distinguishing  
4 between land and improvements to land. The cost of the development, preparation,  
5 publication and distribution of the manual and of revisions and amendments to it  
6 shall be borne by the assessors and requesters at an individual volume cost or a  
7 subscription cost as determined by the department. All receipts shall be credited to  
8 the appropriation under s. 20.566 (2) (hi). The department may provide free  
9 assessment manuals to other state agencies or exchange them at no cost with  
10 agencies of other states or of the federal government for similar information or  
11 publications.

12 **\*-0529/4.138\* SECTION 1621.** 73.03 (6) of the statutes is amended to read:

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



1 with interest at the rate of 10% per year from the date such statements were certified  
2 by the department, as other special charges are certified and collected.

3 **\*b0350/2.1\* SECTION 1623g.** 73.03 (59) of the statutes is created to read:

4 73.03 (59) To enforce ss. 945.03 (2m) and 945.04 (2m).

5 **\*b0350/2.1\* SECTION 1623m.** 73.03 (60) of the statutes is created to read:

6 73.03 (60) To enforce s. 945.05 (1m), in cases in which the department  
7 determines that the video gambling machine involved is likely to be used in  
8 connection with a violation of s. 945.03 (2m) or 945.04 (2m).

9 **\*b0350/2.1\* SECTION 1623r.** 73.031 of the statutes is amended to read:

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

24 **\*-0576/8.66\* SECTION 1626.** 73.09 (2) of the statutes is amended to read:

1           73.09 (2) DEPARTMENT OF REVENUE ASSESSMENT PERSONNEL. The requirements  
2 established for local assessment personnel under sub. (1) shall also apply to  
3 department of revenue assessment personnel commencing on January 1, 1981. The  
4 ~~department of employment relations~~ office of state human resources management  
5 with the assistance of the department of revenue shall determine the position  
6 classifications for which certification shall apply within the department of revenue.  
7 The first level of certification shall be obtained within 100 days of the employee's  
8 appointment. The department of revenue in consultation with the ~~department of~~  
9 ~~employment relations~~ office of state human resources management shall establish  
10 requirements for obtaining higher levels of assessor certification.

11           \*~~0576/8.67~~\* SECTION 1627. 73.09 (5) of the statutes is amended to read:

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

19           \*~~0529/4.139~~\* SECTION 1628. 73.10 (6) of the statutes is amended to read:

20           73.10 (6) The department may establish a scale of charges for audits,  
21 inspections, and other services rendered by the department in connection with  
22 financial records or procedures of towns, villages, cities, counties, and all other local  
23 public bodies, boards, commissions, departments, or agencies. Upon the completion  
24 of such work or, at the department's discretion, during work in progress, the  
25 department shall transmit to the clerk of the town, village, city, county, or other local

1 public body, board, commission, department, or agency a statement of such charges.  
2 Duplicates of the statements shall be filed in the ~~offices~~ office of the ~~state treasurer~~  
3 secretary of administration. Within 60 days after the receipt of the above statement  
4 of charges, it shall be audited as other claims against towns, villages, cities, counties,  
5 and other local public bodies, boards, commissions, departments, or agencies are  
6 audited, and it shall be paid into the state treasury and credited to the appropriation  
7 under s. 20.566 (2) (gi). Past due accounts of towns, villages, cities, counties, and all  
8 other local public bodies, boards, commissions, departments, or agencies shall be  
9 certified on or before the 4th Monday of August of each year and included in the next  
10 apportionment of state special charges to local units of government.

11 **\*b0355/1.4\* SECTION 1628d.** 74.09 (3) (b) 1. of the statutes is amended to read:

12 74.09 (3) (b) 1. For real property, the estimated fair market value of the land,  
13 except agricultural land, as defined in s. 70.32 (2) (c) ~~1.~~ 1g., and the assessed value  
14 of the land and the estimated fair market value and assessed value of the  
15 improvements.

16 **\*b0355/1.4\* SECTION 1628e.** 74.09 (3) (b) 2. of the statutes is amended to read:

17 74.09 (3) (b) 2. For all property, the total estimated fair market value, except  
18 that the estimated fair market value of agricultural land, as defined in s. 70.32 (2)  
19 (c) ~~1.~~ 1g., shall be excluded, and the total assessed value.

20 **\*-0529/4.140\* SECTION 1629.** 74.25 (1) (a) 5. of the statutes is amended to read:

21 74.25 (1) (a) 5. Pay to the ~~state treasurer~~ secretary of administration all  
22 collections of occupational taxes on mink farms, 30% of collections of occupational  
23 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal  
24 docks.

25 **\*-0529/4.141\* SECTION 1630.** 74.27 of the statutes is amended to read:

1           **74.27 March settlement between counties and the state.** On or before  
2 March 15, the county treasurer shall send to the ~~state treasurer~~ secretary of  
3 administration the state's proportionate shares of taxes under ss. 74.23 (1) (b) and  
4 74.25 (1) (b) 1. and 2.

5           \*~~0529/4.142~~\* **SECTION 1631.** 74.30 (1) (e) of the statutes is amended to read:  
6           74.30 (1) (e) Pay to the ~~state treasurer~~ secretary of administration all  
7 collections of occupational taxes on mink farms, 30% of collections of occupational  
8 taxes on iron ore concentrates, and 10% of collections of occupational taxes on coal  
9 docks.

10           \*~~0529/4.143~~\* **SECTION 1632.** 74.30 (1m) of the statutes is amended to read:  
11           74.30 (1m) MARCH SETTLEMENT BETWEEN COUNTIES AND THE STATE. On or before  
12 March 15, the county treasurer shall send to the ~~state treasurer~~ secretary of  
13 administration the state's proportionate shares of taxes under sub. (1) (i) and (j).

14           \*~~b0355/1.5~~\* **SECTION 1632d.** 74.485 (1) of the statutes is amended to read:  
15           74.485 (1) DEFINITION. In this section, "agricultural land" has the meaning  
16 given in s. 70.32 (2) (c) ~~1.~~ 1g.

17           \*~~b0355/1.5~~\* **SECTION 1632e.** 74.485 (4) (a) of the statutes is amended to read:  
18           74.485 (4) (a) A person who owns land that has been assessed as agricultural  
19 land under s. 70.32 (2r) and who converts the land's use so that the land is not eligible  
20 to be assessed as agricultural land under s. 70.32 (2r) is not subject to a penalty under  
21 sub. (2) if the converted land may be assessed as ~~swamp or waste~~ undeveloped under  
22 s. 70.32 (2) (a) 5., as agricultural forest under s. 70.32 (2) (a) 5m., as productive forest  
23 land under s. 70.32 (2) (a) 6., or as other under s. 70.32 (2) (a) 7. or if the amount of  
24 the penalty determined under sub. (2) represents less than \$25 for each acre of  
25 converted land.

1           **\*b0378/2.1\* SECTION 1632m.** 74.57 (3) of the statutes is repealed.

2           **\*b0378/2.1\* SECTION 1632n.** 74.57 (3m) of the statutes is created to read:

3           74.57 (3m) CERTIFICATE TRANSFERABLE. The county may sell, assign, or  
4 otherwise transfer a tax certificate. If a tax certificate is redeemed after the  
5 certificate is sold, assigned, or otherwise transferred, the county shall submit the  
6 redemption proceeds to the person to whom the certificate was sold, assigned, or  
7 otherwise transferred.

8           **\*b0378/2.1\* SECTION 1632p.** 74.63 (1) of the statutes is amended to read:

9           74.63 (1) The tax certificate, or, if the county has sold, assigned, or otherwise  
10 transferred the tax certificate, a copy of the tax certificate.

11           **\*-0529/4.144\* SECTION 1634.** 76.13 (2) of the statutes is amended to read:

12           76.13 (2) Every tax roll upon completion shall be delivered to the state  
13 ~~treasurer and a copy of the tax roll filed with the~~ secretary of administration. The  
14 department shall notify, by certified mail, all companies listed on the tax roll of the  
15 amount of tax due, which shall be paid to the department. The payment dates  
16 provided for in sub. (2a) shall apply. The payment of one-fourth of the tax of any  
17 company may, if the company has brought an action in the Dane County circuit court  
18 under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time  
19 prior to the date upon which the appeal becomes final, but any part of the tax  
20 ultimately required to be paid shall bear interest from the original due date to the  
21 date the appeal became final at the rate of 12% per year and at 1.5% per month  
22 thereafter until paid. The taxes extended against any company after the same  
23 become due, with interest, shall be a lien upon all the property of the company prior  
24 to all other liens, claims, and demands whatsoever, except as provided in ss. 292.31  
25 (8) (i) and 292.81, which lien may be enforced in an action in the name of the state

1 in any court of competent jurisdiction against the property of the company within the  
2 state as an entirety.

3 **\*-0529/4.145\* SECTION 1635.** 76.13 (3) of the statutes is amended to read:

4 76.13 (3) If the Dane County circuit court, after such roll is delivered to the  
5 ~~state treasurer~~ secretary of administration, increases or decreases the assessment  
6 of any company, the department shall immediately redetermine the tax of the  
7 company on the basis of the revised assessment, and shall certify and deliver the  
8 revised assessment to the ~~state treasurer~~ secretary of administration as a revision  
9 of the tax roll. If the amount of tax upon the assessment as determined by the court  
10 is less than the amount paid by the company, the ~~excess shall be refunded~~ secretary  
11 of administration shall refund the excess to the company with interest at the rate of  
12 9% per year ~~upon the certification of the redetermined tax and for that purpose the~~  
13 ~~secretary of administration, upon the certification and delivery of the revised tax roll,~~  
14 ~~shall draw a warrant upon the state treasurer for the amount to be so refunded.~~ If  
15 the amount of the tax upon the assessment as determined by the court is in excess  
16 of the amount of the tax as determined by the department, interest shall be paid on  
17 the additional amount at the rate of 12% per year from the date of entry of judgment  
18 to the date the judgment becomes final, and at 1.5% per month thereafter until paid.

19 **\*-0529/4.146\* SECTION 1636.** 76.15 (2) of the statutes is amended to read:

20 76.15 (2) The power to reassess the property of any company defined in s. 76.02  
21 and the general property of the state, and to redetermine the average rate of  
22 taxation, may be exercised under sub. (1) as often as may be necessary until the  
23 amount of taxes legally due from any such company for any year under ss. 76.01 to  
24 76.26 has been finally and definitely determined. Whenever any sum or part thereof,  
25 levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has

1     been paid and not refunded, the payment so made shall be applied upon the  
2     reassessment upon the property, and the reassessment of taxes to that extent shall  
3     be deemed to be satisfied. When the tax roll on the reassessment is completed and  
4     delivered to the ~~state treasurer~~ secretary of administration, the department shall  
5     immediately notify by certified mail each of the several companies taxed to pay the  
6     amount of the taxes extended on the tax roll within 30 days.

7           \*~~0529/4.147~~\* SECTION 1637. 76.22 (3) of the statutes is amended to read:

8           76.22 (3) The ~~state treasurer~~ secretary of administration for and in the name  
9     of the state may bid at the sale and the state may become the purchaser of the  
10    property of any such company under a judgment for its sale for taxes, interest, and  
11    costs.

12          \*~~0529/4.148~~\* SECTION 1638. 76.24 (1) of the statutes is amended to read:

13          76.24 (1) All taxes collected from companies defined in s. 76.02 under this  
14    subchapter shall be transmitted by the department to the ~~state treasurer~~ secretary  
15    of administration and become a part of the general fund for the use of the state,  
16    except that taxes paid into the state treasury by any air carrier or railroad company  
17    shall be deposited in the transportation fund.

18          \*~~0529/4.149~~\* SECTION 1640. 76.28 (4) (b) of the statutes is amended to read:

19          76.28 (4) (b) In the case of overpayments of license fees by any light, heat and  
20    power company under par. (a), the department shall certify the overpayments to the  
21    department of administration, which shall audit the amount of the overpayments  
22    and the ~~state treasurer~~ secretary of administration shall pay the amounts  
23    determined by means of the audit. All refunds of license fees under this subsection  
24    shall bear interest at the annual rate of 9% from the date of the original payment to  
25    the date when the refund is made. The time for making additional levies of license

1 fees or claims for refunds of excess license fees paid, in respect to any year, shall be  
2 limited to 4 years after the time the report for such year was filed.

3 **\*-0529/4.150\* SECTION 1642.** 76.39 (4) (d) of the statutes is amended to read:

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

10 **\*-0529/4.151\* SECTION 1643.** 76.48 (3) of the statutes is amended to read:

11 76.48 (3) On or before May 1 in each year, the department of revenue shall  
12 compute and assess the license fees provided for in sub. (1r) and certify the amounts  
13 due to the state treasurer and file a duplicate thereof with the department secretary  
14 of administration. The department shall notify each electric cooperative of the  
15 amount of the license fees so assessed. The fees shall become delinquent if not paid  
16 when due and when delinquent shall be subject to interest at the rate of 1.5% per  
17 month on the amount of license fee until paid. The interest shall be collected by the  
18 department and, upon collection, forwarded to the ~~state treasurer~~ secretary of  
19 administration and retained by the state. The payment dates provided for in sub.  
20 (3a) shall apply.

21 **\*-0529/4.152\* SECTION 1644.** 76.48 (5) of the statutes is amended to read:

22 76.48 (5) Additional assessments may be made, if notice of such assessment is  
23 given, within 4 years of the date the annual return was filed, but if no return was  
24 filed, or if the return filed was incorrect and was filed with intent to defeat or evade  
25 the tax, an additional assessment may be made at any time upon the discovery of



1 gross revenues by the department. Refunds may be made if a claim for the refund  
2 is filed in writing with the department within 4 years of the date the annual return  
3 was filed. Refunds shall bear interest at the rate of 9% per year and shall be certified  
4 by the department to the secretary of administration who shall audit the amounts  
5 of such overpayments and ~~the state treasurer shall~~ pay the amount audited.  
6 Additional assessments shall bear interest at the rate of 12% per year from the time  
7 they should have been paid to the date upon which they shall become delinquent if  
8 unpaid.

9 **\*b0355/1.6\* SECTION 1646d.** 77.04 (2) of the statutes is amended to read:

10 77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be  
11 computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all  
12 lands entered after December 31, 1971, the “acreage share” shall be computed every  
13 10 years to the nearest cent by the department of revenue at the rate of 20 cents per  
14 acre multiplied by a ratio using the equalized value of the combined residential,  
15 commercial, manufacturing, agricultural, ~~swamp, or waste~~ undeveloped,  
16 agricultural forest, and productive forest land classes under s. 70.32 (2) within the  
17 state in 1972 as the denominator, and using equalized value for these combined land  
18 classes in 1982 and every 10th year thereafter as the numerator. All owners shall  
19 pay to the taxation district treasurer the acreage share on each description on or  
20 before January 31. If the acreage share is not paid when due to the taxation district  
21 treasurer it shall be subject to interest and penalty as provided under ss. 74.11 (11),  
22 74.12 (10) and 74.47. These lands shall be returned as delinquent and a tax  
23 certificate under subch. VII of ch. 74 shall be issued on them. After 2 years from the  
24 date of the issuance of a tax certificate, the county clerk shall promptly take a tax

1 deed under ch. 75. On taking such deed the county clerk shall certify that fact and  
2 specify the descriptions to the department of natural resources.

3 \*~~0338/1.5~~\* SECTION 1647. 77.14 of the statutes is amended to read:

4 **77.14 Forest croplands information, protection, appropriation.** The  
5 department of natural resources shall publish and distribute information regarding  
6 the method of taxation of forest croplands under this subchapter, and may employ  
7 a fire warden in charge of fire prevention in forest croplands. All actual and  
8 necessary expenses incurred by the department of natural resources or by the  
9 department of revenue in the performance of their duties under this subchapter shall  
10 be paid from the appropriation made in s. 20.370 (1) ~~(mu)~~ (mv) upon certification by  
11 the department incurring such expenses.

12 \*b0369/1.1\* SECTION 1647m. 77.52 (2) (a) 1. of the statutes is amended to read:

13 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,  
14 motel operators and other persons furnishing accommodations that are available to  
15 the public, irrespective of whether membership is required for use of the  
16 accommodations, ~~if the use of the rooms or lodging is not fixed at the time of sale as~~  
17 ~~to the starting day or the lodging unit.~~ In this subdivision, “transient” means any  
18 person residing for a continuous period of less than one month in a hotel, motel or  
19 other furnished accommodations available to the public. In this subdivision, “hotel”  
20 or “motel” means a building or group of buildings in which the public may obtain  
21 accommodations for a consideration, including, without limitation, such  
22 establishments as inns, motels, tourist homes, tourist houses or courts, lodging  
23 houses, rooming houses, summer camps, apartment hotels, resort lodges and cabins  
24 and any other building or group of buildings in which accommodations are available  
25 to the public, except accommodations, including mobile homes as defined in s.