

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB508)

Received: **10/14/2003**

Received By: **jkreye**

Wanted: **Today**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Ron Shanovich**

This file may be shown to any legislator: **NO**

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Tax - corp. inc. and fran.**

Extra Copies:

Submit via email: **YES**

Requester's email: **ron.shanovich@legis.state.wi.us**

Carbon copy (CC:) to: **joseph.kreye@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Refundable development zones credits

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			pgreensl 10/14/2003	_____	lemery 10/14/2003	mbarman 10/15/2003	

FE Sent For:

<END>

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/?	jkreye	1 cjs 10/14/03	10/14 PK	10/14 PK/LE			

FE Sent For:

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CS
RM/AR

ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 508

bill hit ✓

Troley

10-14-03

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 3: after "manufacturing" insert ", allowing refunds for claiming
3 the development zones capital investment tax credit, development zones credit,
4 development opportunity zones credit, technology zones credit and making an
5 appropriation."

6 2. Page 1, line 4: before that line insert:

7 "SECTION 1b. 20.835 (2) (dz) of the statutes is created to read:

8 20.835 (2) (dz) *Development zones and technology zones credits.* A sum

9 sufficient to make the payments under ss. 71.07 (2dm) (gm), (2dx) (dm), and (3g)
10 (bm), 71.28 (1dm) (gm), (1dx) (dm), and (3g) (bm), and 71.47 (1dm) (gm), (1dx) (dm),
11 and (3g) (bm). (1di) (gm), ✓

12 SECTION 1c. 71.07 (2di) (c) of the statutes is amended to read:

(2di) (gm), ✓
(1di) (gm), ✓

1 71.07 (2di) (c) Except as provided in par. (b) 2., the for taxable years beginning
2 before January 1, ~~2004~~²⁰⁰⁶, the carry-over provisions of s. 71.28 (4) (e) and (f) as they
3 relate to the credit under s. 71.28 (4) relate to the credit under this subsection and
4 apply as if the development zone continued to exist.

5 **SECTION 1d.** 71.07 (2di) (gm) of the statutes is created to read:

6 71.07 (2di) (gm) For credits computed based on amounts paid or incurred in
7 taxable years beginning after December 31, ~~2003~~²⁰⁰⁵ if the allowable amount of the
8 claim under this subsection exceeds the income taxes otherwise due on the claimant's
9 income, the amount of the claim that is not used to offset those taxes shall be certified
10 by the department of revenue to the department of administration for payment by
11 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
12 (dz).

13 **SECTION 1e.** 71.07 (2dm) (gm) of the statutes is created to read:

14 71.07 (2dm) (gm) For credits computed based on amounts paid or incurred in
15 taxable years beginning after December 31, ~~2003~~²⁰⁰⁵ if the allowable amount of the
16 claim under this subsection exceeds the income taxes otherwise due on the claimant's
17 income, the amount of the claim that is not used to offset those taxes shall be certified
18 by the department of revenue to the department of administration for payment by
19 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
20 (dz).

21 **SECTION 1f.** 71.07 (2dm) (h) of the statutes is amended to read:

22 71.07 (2dm) (h) The For taxable years beginning before January 1, ~~2004~~²⁰⁰⁶, the
23 carry-over provisions of s. 71.28 (4) (e) and (f) as they relate to the credit under s.
24 71.28 (4) relate to the credit under this subsection.

25 **SECTION 1g.** 71.07 (2dx) (dm) of the statutes is created to read:

1 71.07 (2dx) (dm) *Refunds*. For credits computed based on amounts paid or
2 incurred in taxable years beginning after December 31, ~~2003~~²⁰⁰⁵ if the allowable
3 amount of the claim under this subsection exceeds the income taxes otherwise due
4 on the claimant's income, the amount of the claim that is not used to offset those taxes
5 shall be certified by the department of revenue to the department of administration
6 for payment by check, share draft, or other draft drawn from the appropriation under
7 s. 20.835 (2) (dz).

8 **SECTION 1h.** 71.07 (2dx) (e) of the statutes is amended to read:

9 71.07 (2dx) (e) *Administration*. Section 71.28 (4) ~~(e) to (g) and (h)~~, as it applies
10 to the credit under s. 71.28 (4), applies to the credit under this subsection. For
11 taxable years beginning before January 1, ~~2004~~²⁰⁰⁶ s. 71.28 (4) (e) and (f), as it applies
12 to the credit under s. 71.28 (4), applies to the credit under this subsection. Subsection
13 (2dj) (c), as it applies to the credit under sub. (2dj), applies to the credit under this
14 subsection. Claimants shall include with their returns a copy of their certification for
15 tax benefits and a copy of the department of commerce's verification of their
16 expenses.

17 **SECTION 1i.** 71.07 (3g) (bm) of the statutes is created to read:

18 71.07 (3g) (bm) For credits computed based on amounts paid or incurred in
19 taxable years beginning after December 31, ~~2003~~²⁰⁰⁵ if the allowable amount of the
20 claim under this subsection exceeds the income taxes otherwise due on the claimant's
21 income, the amount of the claim that is not used to offset those taxes shall be certified
22 by the department of revenue to the department of administration for payment by
23 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
24 (dz).

25 **SECTION 1j.** 71.07 (3g) (c) of the statutes is amended to read:

1 71.07 (3g) (c) Section 71.28 (4) (e), (f), (g), and (h), as it applies to the credit
2 under s. 71.28 (4), applies to the credit under par. (a). For taxable years beginning
3 before January 1, ~~2004~~²⁰⁰⁶, s. 71.28 (4) (e) and (f), as it applies to the credit under s. 71.28
4 (4), applies to the credit under par. (a)."

5 **3.** Page 1, line 4: delete "SECTION 1" and substitute "SECTION 1m".

6 **4.** Page 2, line 6: after that line insert:

7 "SECTION 1n. 71.10 (3) (ac) of the statutes is repealed.

8 SECTION 1p. 71.10 (4) (gg) of the statutes is repealed.

9 SECTION 1q. 71.10 (4) (grb) of the statutes is repealed.

10 SECTION 1r. 71.10 (4) (grd) of the statutes is repealed.

11 SECTION 1s. 71.10 (4) (gu) of the statutes is repealed.

12 SECTION 1t. 71.10 (4) (i) of the statutes is amended to read:

13 71.10 (4) (i) The total of claim of right credit under s. 71.07 (1), farmland
14 preservation credit under subch. IX, homestead credit under subch. VIII,
15 development zones investment credit under s. 71.07 (2di), development zone capital
16 investment credit under s. 71.07 (2dm), development zones credit under s. 71.07
17 (2dx), technology zones credit under s. 71.07 (3g), farmland tax relief credit under s.
18 71.07 (3m), farmers' drought property tax credit under s. 71.07 (2fd), earned income
19 tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09, and taxes
20 withheld under subch. X.

21 SECTION 2b. 71.28 (1di) (c) of the statutes is amended to read:

22 71.28 (1di) (c) Except as provided in par. (b) 2., the for taxable years beginning
23 before January 1, ~~2004~~²⁰⁰⁶, the carry-over provisions of sub. (4) (e) and (f) as they relate

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1 to the credit under that subsection relate to the credit under this subsection and
2 apply as if the development zone continued to exist.

3 **SECTION 2c.** 71.28 (1di) (gm) of the statutes is created to read:

4 71.28 (1di) (gm) For credits computed based on amounts paid or incurred in
5 taxable years beginning after December 31, ~~2004~~²⁰⁰⁵ if the allowable amount of the
6 claim under this subsection exceeds the income taxes otherwise due on the claimant's
7 income, the amount of the claim that is not used to offset those taxes shall be certified
8 by the department of revenue to the department of administration for payment by
9 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
10 (dz).

11 **SECTION 2d.** 71.28 (1dm) (gm) of the statutes is created to read:

12 71.28 (1dm) (gm) For credits computed based on amounts paid or incurred in
13 taxable years beginning after December 31, ~~2004~~²⁰⁰⁵ if the allowable amount of the
14 claim under this subsection exceeds the income taxes otherwise due on the claimant's
15 income, the amount of the claim that is not used to offset those taxes shall be certified
16 by the department of revenue to the department of administration for payment by
17 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
18 (dz).

19 **SECTION 2e.** 71.28 (1dm) (h) of the statutes is amended to read:

20 71.28 (1dm) (h) ~~The~~ For taxable years beginning before January 1, ~~2004~~²⁰⁰⁶ the
21 carry-over provisions of sub. (4) (e) and (f) as they relate to the credit under sub. (4)
22 relate to the credit under this subsection.

23 **SECTION 2f.** 71.28 (1dx) (dm) of the statutes is created to read:

24 71.28 (1dx) (dm) *Refunds.* For credits computed based on amounts paid or
25 incurred in taxable years beginning after December 31, ~~2004~~²⁰⁰⁵ if the allowable

1 amount of the claim under this subsection exceeds the income taxes otherwise due
2 on the claimant's income, the amount of the claim that is not used to offset those taxes
3 shall be certified by the department of revenue to the department of administration
4 for payment by check, share draft, or other draft drawn from the appropriation under
5 s. 20.835 (2) (dz).

6 **SECTION 2g.** 71.28 (1dx) (e) of the statutes is amended to read:

7 71.28 (1dx) (e) *Administration.* Subsection (4) ~~(e) to (g) and~~ (h), as it applies
8 to the credit under sub. (4), applies to the credit under this subsection. For taxable
9 years beginning after January 1, ~~2004~~²⁰⁰⁶ sub. (4) (e) and (f), as it applies to the credit
10 under sub. (4), applies to the credit under this subsection. Subsection (1dj) (c), as it
11 applies to the credit under sub. (1dj), applies to the credit under this subsection.
12 Claimants shall include with their returns a copy of their certification for tax benefits
13 and a copy of the department of commerce's verification of their expenses.”.

14 **5.** Page 2, line 7: delete “SECTION 2” and substitute “SECTION 2h”.

15 **6.** Page 2, line 13: after that line insert:

16 “SECTION 2i. 71.28 (3g) (bm) of the statutes is created to read:

17 71.28 (3g) (bm) For credits computed based on amounts paid or incurred in
18 taxable years beginning after December 31, ~~2004~~²⁰⁰⁵ if the allowable amount of the
19 claim under this subsection exceeds the income taxes otherwise due on the claimant's
20 income, the amount of the claim that is not used to offset those taxes shall be certified
21 by the department of revenue to the department of administration for payment by
22 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
23 (dz).

24 **SECTION 2j.** 71.28 (3g) (c) of the statutes is amended to read:

1 71.28 (3g) (c) Subsection (4) ~~(e), (f), (g),~~ and (h), as it applies to the credit under
2 sub. (4), applies to the credit under par. (a). For taxable years beginning before
3 January 1, ~~2004~~²⁰⁰⁶ sub. (4) (e) and (f), as it applies to the credit under sub. (4), applies
4 to the credit under par. (a).

5 **SECTION 2k.** 71.30 (3) (eg) of the statutes is repealed.

6 **SECTION 2L.** 71.30 (3) (emb) of the statutes is repealed.

7 **SECTION 2m.** 71.30 (3) (eom) of the statutes is repealed.

8 **SECTION 2n.** 71.30 (3) (eon) of the statutes is repealed.

9 **SECTION 2p.** 71.30 (3) (f) of the statutes is amended to read:

10 71.30 (3) (f) The total of development zones investment credit under s. 71.28
11 (1di), development zone capital investment credit under s. 71.28 (1dm), development
12 zones credit under s. 71.28 (1dx), farmers' drought property tax credit under s. 71.28
13 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under
14 s. 71.28 (2m), technology zones credit under s. 71.28 (3g), and estimated tax
15 payments under s. 71.29.

16 **SECTION 3b.** 71.47 (1di) (c) of the statutes is amended to read:

17 71.47 (1di) (c) Except as provided in par. (b) 2., the for taxable years beginning
18 before January 1, ~~2004~~²⁰⁰⁶, the carry-over provisions of sub. (4) (e) and (f) as they relate
19 to the credit under that subsection relate to the credit under this subsection and
20 apply as if the development zone continued to exist.

21 **SECTION 3c.** 71.47 (1di) (gm) of the statutes is created to read:

22 71.47 (1di) (gm) For credits computed based on amounts paid or incurred in
23 taxable years beginning after December 31, ~~2004~~²⁰⁰⁵, if the allowable amount of the
24 claim under this subsection exceeds the income taxes otherwise due on the claimant's
25 income, the amount of the claim that is not used to offset those taxes shall be certified

1 by the department of revenue to the department of administration for payment by
2 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
3 (dz).

4 **SECTION 3d.** 71.47 (1dm) (gm) of the statutes is created to read:

5 71.47 (1dm) (gm) For credits computed based on amounts paid or incurred in
6 taxable years beginning after December 31, ~~2004~~²⁰⁰⁵ if the allowable amount of the
7 claim under this subsection exceeds the income taxes otherwise due on the claimant's
8 income, the amount of the claim that is not used to offset those taxes shall be certified
9 by the department of revenue to the department of administration for payment by
10 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
11 (dz).

12 **SECTION 3e.** 71.47 (1dm) (h) of the statutes is amended to read:

13 71.47 (1dm) (h) ~~The~~ For taxable years beginning before January 1, 2004, ²⁰⁰⁶ the
14 carry-over provisions of s. 71.28 (4) (e) and (f) as they relate to the credit under s.
15 71.28 (4) relate to the credit under this subsection.

16 **SECTION 3f.** 71.47 (1dx) (dm) of the statutes is created to read:

17 71.47 (1dx) (dm) *Refunds.* For credits computed based on amounts paid or
18 incurred in taxable years beginning after December 31, ~~2004~~²⁰⁰⁵ if the allowable
19 amount of the claim under this subsection exceeds the income taxes otherwise due
20 on the claimant's income, the amount of the claim that is not used to offset those taxes
21 shall be certified by the department of revenue to the department of administration
22 for payment by check, share draft, or other draft drawn from the appropriation under
23 s. 20.835 (2) (dz).

24 **SECTION 3g.** 71.47 (1dx) (e) of the statutes is amended to read:

1 71.47 (1dx) (e) *Administration*. Section 71.28 (4) (e) to (g) and (h), as it applies
2 to the credit under s. 71.28 (4), applies to the credit under this subsection. For
3 taxable years beginning before January 1, ~~2004~~²⁰⁰⁶ s. 71.28 (4) (e) and (f), as it applies
4 to the credit under s. 71.28 (4), applies to the credit under this subsection. Subsection
5 (1dj) (c), as it applies to the credit under sub. (1dj), applies to the credit under this
6 subsection. Claimants shall include with their returns a copy of their certification for
7 tax benefits and a copy of the department of commerce's verification of their
8 expenses.”.

9 **7.** Page 2, line 14: delete “SECTION 3” and substitute “SECTION 3h”.

10 **8.** Page 2, line 20: after that line insert:

11 “SECTION 3i. 71.47 (3g) (bm) of the statutes is created to read:

12 71.47 (3g) (bm) For credits computed based on amounts paid or incurred in
13 taxable years beginning after December 31, ~~2005~~²⁰⁰⁵ if the allowable amount of the
14 claim under this subsection exceeds the income taxes otherwise due on the claimant's
15 income, the amount of the claim that is not used to offset those taxes shall be certified
16 by the department of revenue to the department of administration for payment by
17 check, share draft, or other draft drawn from the appropriation under s. 20.835 (2)
18 (dz).

19 SECTION 3j. 71.47 (3g) (c) of the statutes is amended to read:

20 71.47 (3g) (c) Section 71.28 (4) (e), (f), (g), and (h), as it applies to the credit
21 under s. 71.28 (4), applies to the credit under par. (a). For taxable years beginning
22 before January 1, ~~2004~~²⁰⁰⁶ s. 71.28 (4) (e) and (f), as it applies to the credit under s. 71.28
23 (4), applies to the credit under par. (a).

24 SECTION 3k. 71.49 (1) (eg) of the statutes is repealed.

2-6-04

Today

LRBA1171/1

AA-1
TO AB-508

In enrolling, the following
correction was made:

#. page 1, line 5: delete
"appropriation." and
substitute "appropriation".

KMG:

JK



State of Wisconsin
2003-2004 LEGISLATURE

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 508**

Prepared by the Legislative Reference Bureau
(February 6, 2004)

In enrolling, the following correction was made:

1. Page 1, line 5: delete "appropriation." and substitute "appropriation".