



1 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
2 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
3 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
4 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,  
5 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
6 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
7 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.  
8 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.  
9 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357.  
10 The Internal Revenue Code applies for Wisconsin purposes at the same time as for  
11 federal purposes. Amendments to the Internal Revenue Code enacted after  
12 December 31, 1996, do not apply to this paragraph with respect to taxable years  
13 beginning after December 31, 1996, and before January 1, 1998, except that  
14 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
15 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
16 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
17 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
18 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
19 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
20 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect  
21 provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.  
22 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
23 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
24 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
25 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,

1 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
2 201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the  
3 same time as for federal purposes.

4 **SECTION 1335.** 71.22 (4m) (k) of the statutes is amended to read:

5 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and  
6 before January 1, 1999, “Internal Revenue Code”, for corporations that are subject  
7 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
8 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,  
9 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
10 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
11 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36,  
12 P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.  
13 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
14 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding  
15 section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
16 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337,  
17 909, and 910 of P.L. 108–357, and as indirectly affected in the provisions applicable  
18 to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
19 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
20 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
21 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
22 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
23 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
24 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
25 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,

1 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
2 excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121,  
3 excluding section 109 of P.L. 108–121. P.L. 108–311, excluding sections 306, 307, 308,  
4 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244,  
5 336, 337, 909, and 910 of P.L. 108–357. The Internal Revenue Code applies for  
6 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
7 Internal Revenue Code enacted after December 31, 1997, do not apply to this  
8 paragraph with respect to taxable years beginning after December 31, 1997, and  
9 before January 1, 1999, except that changes to the Internal Revenue Code made by  
10 P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
11 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431  
12 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
13 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
14 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
15 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
16 and changes that indirectly affect the provisions applicable to this subchapter made  
17 by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
18 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431  
19 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
20 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
21 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
22 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
23 apply for Wisconsin purposes at the same time as for federal purposes.

24 **SECTION 1336.** 71.22 (4m) (L) of the statutes is amended to read:

1           71.22 (4m) (L) For taxable years that begin after December 31, 1998, and  
2 before January 1, 2000, “Internal Revenue Code”, for corporations that are subject  
3 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
4 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,  
5 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
6 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
7 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
8 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431  
9 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
10 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L.  
11 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
12 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
13 of P.L. 108–357, and as indirectly affected in the provisions applicable to this  
14 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
15 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
16 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
17 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
18 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
19 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
20 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
21 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
22 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
23 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L.  
24 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
25 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,

1 201, 244, 336, 337, 909, and 910 of P.L. 108–357. The Internal Revenue Code applies  
2 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
3 Internal Revenue Code enacted after December 31, 1998, do not apply to this  
4 paragraph with respect to taxable years beginning after December 31, 1998, and  
5 before January 1, 2000, except that changes to the Internal Revenue Code made by  
6 P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and  
7 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
8 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.  
9 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311,  
10 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
11 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and changes  
12 that indirectly affect the provisions applicable to this subchapter made by P.L.  
13 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
14 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
15 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.  
16 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311,  
17 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
18 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for  
19 Wisconsin purposes at the same time as for federal purposes.

20 **SECTION 1337.** 71.22 (4m) (m) of the statutes is amended to read:

21 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and  
22 before January 1, 2003, “Internal Revenue Code”, for corporations that are subject  
23 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
24 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,  
25 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203

1 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
2 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and  
3 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16,  
4 P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
5 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.  
6 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
7 section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,  
8 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,  
9 244, 336, 337, 909, and 910 of P.L. 108–357, 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 P.L. 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, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
19 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
20 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L.  
21 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
22 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311,  
23 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
24 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357. The Internal  
25 Revenue Code applies for Wisconsin purposes at the same time as for federal

1 purposes. Amendments to the Internal Revenue Code enacted after December 31,  
2 1999, do not apply to this paragraph with respect to taxable years beginning after  
3 December 31, 1999, and before January 1, 2003, except that changes to the Internal  
4 Revenue Code made by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165  
5 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
6 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of  
7 P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.  
8 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
9 section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,  
10 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,  
11 244, 336, 337, 909, and 910 of P.L. 108–357, and changes that indirectly affect the  
12 provisions applicable to this subchapter made by P.L. 106–230, P.L. 106–554,  
13 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
14 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
15 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
16 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
17 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L.  
18 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
19 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
20 apply for Wisconsin purposes at the same time as for federal purposes.

21 **SECTION 1338.** 71.22 (4m) (n) of the statutes is amended to read:

22 71.22 (4m) (n) For taxable years that begin after December 31, 2002, and  
23 before January 1, 2004, “Internal Revenue Code,” for corporations that are subject  
24 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
25 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,

1 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
2 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
3 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section  
4 431 of P.L. 107-16, and section 101 of P.L. 107-147, and as amended by P.L. 108-27,  
5 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
6 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
7 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403  
8 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and  
9 910 of P.L. 108-357, and P.L. 108-375, 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, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
19 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101  
20 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.  
21 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding  
22 section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173,  
23 P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and  
24 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909,  
25 and 910 of P.L. 108-357, and P.L. 108-375. The Internal Revenue Code applies for



1 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
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, and  
4 before January 1, 2004, except that changes to the Internal Revenue Code made by  
5 P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121,  
6 excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
7 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,  
8 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336,  
9 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, and changes that indirectly  
10 affect the provisions applicable to this subchapter made by P.L. 108–27, excluding  
11 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.  
12 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
13 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
14 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
15 P.L. 108–357, and P.L. 108–375, apply for Wisconsin purposes at the same time as  
16 for federal purposes.

17 **SECTION 1339.** 71.22 (4m) (o) of the statutes is created to read:

18 71.22 (4m) (o) For taxable years that begin after December 31, 2003, and  
19 before January 1, 2005, “Internal Revenue Code,” for corporations that are subject  
20 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
21 Internal Revenue Code as amended to December 31, 2003, excluding sections 103,  
22 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
23 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of  
24 P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573,  
25 section 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202

1 of P.L. 108–27, section 109 of P.L. 108–121, and section 1201 of P.L. 108–173, and  
2 as amended by P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,  
3 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101,  
4 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476,  
5 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
6 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
7 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
8 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113,  
9 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.  
14 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
15 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L.  
16 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
17 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
18 section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173,  
19 P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401,  
20 and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336,  
21 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476. The Internal  
22 Revenue Code applies for Wisconsin purposes at the same time as for federal  
23 purposes. Amendments to the Internal Revenue Code enacted after December 31,  
24 2003, do not apply to this paragraph with respect to taxable years beginning after  
25 December 31, 2003, and before January 1, 2005, except that changes to the

1 Internal Revenue Code made by P.L. 108–203, P.L. 108–218, P.L. 108–311,  
2 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
3 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L.  
4 108–375, and P.L. 108–476, and changes that indirectly affect the provisions  
5 applicable to this subchapter made by P.L. 108–203, P.L. 108–218, P.L. 108–311,  
6 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
7 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L.  
8 108–375, and P.L. 108–476, apply for Wisconsin purposes at the same time as for  
9 federal purposes.

10 **SECTION 1340.** 71.22 (4m) (p) of the statutes is created to read:

11 71.22 (4m) (p) For taxable years that begin after December 31, 2004, “Internal  
12 Revenue Code,” for corporations that are subject to a tax on unrelated business  
13 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended  
14 to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
16 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
17 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
18 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section  
19 1201 of P.L. 108–173, sections 306, 308, 401, and 403 (a) of P.L. 108–311, and sections  
20 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in  
21 the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.  
22 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.  
23 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
24 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
25 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.

1 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
2 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
3 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
4 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
5 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
6 excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
7 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
8 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
9 108–218, P.L. 108–311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108–311,  
10 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.  
11 108–357, P.L. 108–375, and P.L. 108–476. The Internal Revenue Code applies for  
12 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
13 Internal Revenue Code enacted after December 31, 2004, do not apply to this  
14 paragraph with respect to taxable years beginning after December 31, 2004.

15 **SECTION 1341.** 71.22 (6m) of the statutes is amended to read:

16 71.22 (6m) “Member” does not include a member of a limited liability company  
17 treated as a corporation under sub. (1) (1k).

18 **SECTION 1342.** 71.22 (7m) of the statutes is amended to read:

19 71.22 (7m) “Partner” does not include a partner of a publicly traded  
20 partnership treated as a corporation under sub. (1) (1k).

21 **SECTION 1343.** 71.22 (9g) of the statutes is created to read:

22 71.22 (9g) For purposes of s. 71.25 (9) (df) and (dh), “state” means a state of the  
23 United States, the District of Columbia, the commonwealth of Puerto Rico, or any  
24 territory or possession of the United States, unless the context requires that “state”  
25 means only the state of Wisconsin.

1           **SECTION 1344v.** 71.25 (9) (d) of the statutes is amended to read:

2           71.25 (9) (d) Sales Except as provided in pars. (df) and (dh), sales, other than  
3 sales of tangible personal property, are in this state if the income-producing activity  
4 is performed in this state. If the income-producing activity is performed both in and  
5 outside this state the sales shall be divided between those states having jurisdiction  
6 to tax such business in proportion to the direct costs of performance incurred in each  
7 such state in rendering this service. ~~Services performed in states which do not have~~  
8 ~~jurisdiction to tax the business shall be deemed to have been performed in the state~~  
9 ~~to which compensation is allocated by s. 71.25 (8), 2001 stats.~~

10           **SECTION 1347.** 71.25 (9) (df) of the statutes is created to read:

11           71.25 (9) (df) 1. Gross receipts from the use of computer software are in this  
12 state if the purchaser or licensee uses the computer software at a location in this  
13 state.

14           2. Computer software is used at a location in this state if the purchaser or  
15 licensee uses the computer software in the regular course of business operations in  
16 this state, for personal use in this state, or if the purchaser or licensee is an individual  
17 whose domicile is in this state. If the purchaser or licensee uses the computer  
18 software in more than one state, the gross receipts shall be divided among those  
19 states having jurisdiction to impose an income tax on the taxpayer in proportion to  
20 the use of the computer software in those states. To determine computer software  
21 use in this state, the department may consider the number of users in each state  
22 where the computer software is used, the number of site licenses or workstations in  
23 this state, and any other factors that reflect the use of computer software in this  
24 state.

1           3. If the taxpayer is not subject to income tax in the state in which the gross  
2 receipts are considered received under this paragraph, but the taxpayer's  
3 commercial domicile is in this state, 50 percent of those gross receipts shall be  
4 included in the numerator of the sales factor.

5           **SECTION 1349.** 71.25 (9) (dh) of the statutes is created to read:

6           71.25 (9) (dh) 1. Gross receipts from services are in this state if the purchaser  
7 of the service received the benefit of the service in this state.

8           2. The benefit of a service is received in this state if any of the following applies:

9           a. The service relates to real property that is located in this state.

10           b. The service relates to tangible personal property that is located in this state  
11 at the time that the service is received or tangible personal property that is delivered  
12 directly or indirectly to customers in this state.

13           c. The service is provided to an individual who is physically present in this state  
14 at the time that the service is received.

15           d. The service is provided to a person engaged in a trade or business in this state  
16 and relates to that person's business in this state.

17           3. If the purchaser of a service receives the benefit of a service in more than one  
18 state, the gross receipts from the performance of the service are included in the  
19 numerator of the sales factor according to the portion of the service received in this  
20 state.

21           4. If the taxpayer is not subject to income tax in the state in which the benefit  
22 of the service is received, the benefit of the service is received in this state to the  
23 extent that the taxpayer's employees or representatives performed services from a  
24 location in this state. Fifty percent of the taxpayer's receipts that are considered

1 received in this state under this paragraph shall be included in the numerator of the  
2 sales factor.

3 **SECTION 1354L.** 71.26 (1) (bn) of the statutes is created to read:

4 71.26 (1) (bn) *Health Insurance Risk-Sharing Plan.* Income of the  
5 organization administering the Health Insurance Risk-Sharing Plan under ch. 149.

6 **SECTION 1354m.** 71.26 (2) (a) of the statutes is amended to read:

7 71.26 (2) (a) *Corporations in general.* The “net income” of a corporation means  
8 the gross income as computed under the Internal Revenue Code as modified under  
9 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit  
10 computed under s. 71.28 (1), (3), (4), and (5) minus, as provided under s. 71.28 (3) (c)  
11 7., the amount of the credit under s. 71.28 (3) that the taxpayer added to income  
12 under this paragraph at the time that the taxpayer first claimed the credit plus the  
13 amount of the credit computed under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm),  
14 (1ds), (1dx), (3g), (3n), (3t), and ~~(5b)~~ <sup>scored comma</sup> and (5g) and not passed through by a  
15 partnership, limited liability company, or tax-option corporation that has added that  
16 amount to the partnership’s, limited liability company’s, or tax-option corporation’s  
17 income under s. 71.21 (4) or 71.34 (1) (g) plus the amount of losses from the sale or  
18 other disposition of assets the gain from which would be wholly exempt income, as  
19 defined in sub. (3) (L), if the assets were sold or otherwise disposed of at a gain and  
20 minus deductions, as computed under the Internal Revenue Code as modified under  
21 sub. (3), plus or minus, as appropriate, an amount equal to the difference between  
22 the federal basis and Wisconsin basis of any asset sold, exchanged, abandoned, or  
23 otherwise disposed of in a taxable transaction during the taxable year, except as  
24 provided in par. (b) and s. 71.45 (2) and (5).

25 **SECTION 1355.** 71.26 (2) (b) 10. of the statutes is repealed.

1           **SECTION 1356.** 71.26 (2) (b) 11. of the statutes is repealed.

2           **SECTION 1357.** 71.26 (2) (b) 12. of the statutes is amended to read:

3           71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and  
4 before January 1, 1998, 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, 1996, 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. 105-33, P.L. 105-34, P.L. 105-206,  
11 P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L.  
12 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
13 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
14 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
15 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
16 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected in the  
17 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
18 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
19 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
20 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
21 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
22 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
23 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
24 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
25 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections



1 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109  
2 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of  
3 P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
4 910 of P.L. 108–357, “net income” means the federal regulated investment company  
5 taxable income, federal real estate mortgage investment conduit taxable income,  
6 federal real estate investment trust or financial asset securitization investment  
7 trust taxable income of the corporation, conduit or trust as determined under the  
8 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,  
9 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
10 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
11 104–188 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277,  
12 P.L. 106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.  
13 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
14 sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding  
15 section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
16 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337,  
17 909, and 910 of P.L. 108–357, and as indirectly affected in the provisions applicable  
18 to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.  
19 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
20 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
21 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
22 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
23 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
24 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
25 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding

1 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
2 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L.  
3 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
4 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
5 of P.L. 108–357, 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, 1996,  
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. 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, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
18 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.  
19 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
20 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
21 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the  
22 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
23 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
24 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
25 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

1 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
2 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
3 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.  
4 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,  
5 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections  
6 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109  
7 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of  
8 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and  
9 910 of P.L. 108-357, applies for Wisconsin purposes at the same time as for federal  
10 purposes. Amendments to the Internal Revenue Code enacted after  
11 December 31, 1996, do not apply to this subdivision with respect to taxable years  
12 that begin after December 31, 1996, and before January 1, 1998, except that  
13 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
14 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
15 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
16 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
17 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
18 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
19 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect  
20 the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.  
21 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
22 P.L. 106-554, 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, P.L.  
24 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
25 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,

1 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for Wisconsin purposes at the  
2 same time as for federal purposes.

3 **SECTION 1358.** 71.26 (2) (b) 13. of the statutes is amended to read:

4 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and  
5 before January 1, 1999, for a corporation, conduit or common law trust which  
6 qualifies as a regulated investment company, real estate mortgage investment  
7 conduit, real estate investment trust or financial asset securitization investment  
8 trust under the Internal Revenue Code as amended to December 31, 1997, excluding  
9 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
10 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
11 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L.  
12 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of  
13 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
14 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
15 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
16 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
17 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected in the  
18 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
19 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
20 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
21 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
22 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
23 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
24 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
25 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of

1 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
2 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.  
3 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
4 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
5 201, 244, 336, 337, 909, and 910 of P.L. 108–357, “net income” means the federal  
6 regulated investment company taxable income, federal real estate mortgage  
7 investment conduit taxable income, federal real estate investment trust or financial  
8 asset securitization investment trust taxable income of the corporation, conduit or  
9 trust as determined under the Internal Revenue Code as amended to December 31,  
10 1997, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d),  
11 13171 (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204  
12 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206,  
13 P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and  
14 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
15 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.  
16 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
17 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
18 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the  
19 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
20 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
21 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
22 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
23 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
24 excluding sections 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. 106–554, excluding sections 162 and 165 of  
2 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
3 107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.  
4 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
5 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
6 201, 244, 336, 337, 909, and 910 of P.L. 108–357, except that property that, under s.  
7 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983  
8 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall  
9 continue to be depreciated under the Internal Revenue Code as amended to  
10 December 31, 1980, and except that the appropriate amount shall be added or  
11 subtracted to reflect differences between the depreciation or adjusted basis for  
12 federal income tax purposes and the depreciation or adjusted basis under this  
13 chapter of any property disposed of during the taxable year. The Internal Revenue  
14 Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.  
15 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
16 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
17 amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170,  
18 P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L.  
21 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
22 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
23 of P.L. 108–357, and as indirectly affected in the provisions applicable to this  
24 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
25 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,

1 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
2 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
3 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
4 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
5 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
6 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,  
7 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
8 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109  
9 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of  
10 P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
11 910 of P.L. 108–357, applies for Wisconsin purposes at the same time as for federal  
12 purposes. Amendments to the Internal Revenue Code enacted after December 31,  
13 1997, do not apply to this subdivision with respect to taxable years that begin after  
14 December 31, 1997, and before January 1, 1999, except that changes to the Internal  
15 Revenue Code made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
16 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,  
17 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
18 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109  
19 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
20 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
21 of P.L. 108–357, and changes that indirectly affect the provisions applicable to this  
22 subchapter made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
23 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,  
24 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
25 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109

1 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of  
2 P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and  
3 910 of P.L. 108-357, apply for Wisconsin purposes at the same time as for federal  
4 purposes.

5 **SECTION 1359.** 71.26 (2) (b) 14. of the statutes is amended to read:

6 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and  
7 before January 1, 2000, for a corporation, conduit or common law trust which  
8 qualifies as a regulated investment company, real estate mortgage investment  
9 conduit, real estate investment trust or financial asset securitization investment  
10 trust under the Internal Revenue Code as amended to December 31, 1998, excluding  
11 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
12 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
13 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230,  
14 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
15 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
16 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, P.L. 108-121, excluding section  
17 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a)  
18 of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909,  
19 and 910 of P.L. 108-357, and as indirectly affected in the provisions applicable to this  
20 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,  
21 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,  
22 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
23 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
24 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
25 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.



1 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
2 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
3 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
4 excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L.  
5 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
6 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
7 201, 244, 336, 337, 909, and 910 of P.L. 108–357, “net income” means the federal  
8 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 1998, 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. 106–36, P.L. 106–170,  
15 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.  
16 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding  
17 sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121,  
18 excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308,  
19 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244,  
20 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the provisions  
21 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
22 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
23 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
24 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
25 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,

1 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
2 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
3 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
4 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
5 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181,  
6 and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311,  
7 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
8 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, except that  
9 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
10 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
11 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
12 Code as amended to December 31, 1980, and except that the appropriate amount  
13 shall be added or subtracted to reflect differences between the depreciation or  
14 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
15 under this chapter of any property disposed of during the taxable year. The Internal  
16 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and  
17 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
18 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
19 and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding  
20 sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.  
21 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
22 P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121,  
23 P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and  
24 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.  
25 108–357, and as indirectly affected in the provisions applicable to this subchapter

1 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,  
2 P.L. 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. 107–16,  
9 excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
10 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding  
11 section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
12 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337,  
13 909, and 910 of P.L. 108–357, applies for Wisconsin purposes at the same time as for  
14 federal purposes. Amendments to the Internal Revenue Code enacted after  
15 December 31, 1998, do not apply to this subdivision with respect to taxable years that  
16 begin after December 31, 1998, and before January 1, 2000, except that changes to  
17 the Internal Revenue Code made by 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, 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, P.L. 108–121, excluding section  
21 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a)  
22 of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
23 and 910 of P.L. 108–357, and changes that indirectly affect the provisions applicable  
24 to this subchapter made by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
25 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431

1 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
2 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L.  
3 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
4 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
5 of P.L. 108–357, apply for Wisconsin purposes at the same time as for federal  
6 purposes.

7 **SECTION 1360.** 71.26 (2) (b) 15. of the statutes is amended to read:

8 71.26 (2) (b) 15. For taxable years that begin after December 31, 1999, and  
9 before January 1, 2003, for a corporation, conduit or common law trust which  
10 qualifies as a regulated investment company, real estate mortgage investment  
11 conduit, real estate investment trust or financial asset securitization investment  
12 trust under the Internal Revenue Code as amended to December 31, 1999, excluding  
13 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
14 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
15 1605 (d) of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding  
16 sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431  
17 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding  
18 sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and  
19 P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
20 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311,  
21 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
22 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as  
23 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
24 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
25 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.

1 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
2 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
3 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
4 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
5 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
6 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
7 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
8 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,  
9 P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202  
10 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L.  
11 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
12 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
13 “net income” means the federal regulated investment company taxable income,  
14 federal real estate mortgage investment conduit taxable income, federal real estate  
15 investment trust or financial asset securitization investment trust taxable income  
16 of the corporation, conduit or trust as determined under the Internal Revenue Code  
17 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
18 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
19 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
20 amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.  
21 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22,  
22 P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
23 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27,  
24 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section  
25 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,

1 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244,  
2 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected in the provisions  
3 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
4 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
5 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
6 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
7 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
8 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
9 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
10 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
11 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
12 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
13 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.  
14 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.  
15 108-121, excluding section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311,  
16 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,  
17 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, except that  
18 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
19 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
20 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
21 Code as amended to December 31, 1980, and except that the appropriate amount  
22 shall be added or subtracted to reflect differences between the depreciation or  
23 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
24 under this chapter of any property disposed of during the taxable year. The Internal  
25 Revenue Code as amended to December 31, 1999, excluding sections 103, 104, and

1 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,  
3 and as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.  
4 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22,  
5 P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
6 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27,  
7 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
8 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308,  
9 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244,  
10 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected in the provisions  
11 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
12 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
13 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
14 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
15 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
16 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
17 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
18 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
19 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
20 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
21 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.  
22 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.  
23 108-121, excluding section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311,  
24 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357,  
25 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357, applies for

1 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
2 Internal Revenue Code enacted after December 31, 1999, do not apply to this  
3 subdivision with respect to taxable years that begin after December 31, 1999, and  
4 before January 1, 2003, except that changes to the Internal Revenue Code made by  
5 P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.  
6 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,  
7 P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.  
8 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding  
9 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.  
10 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
11 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
12 and 910 of P.L. 108–357, and changes that indirectly affect the provisions applicable  
13 to this subchapter made by P.L. 106–230, P.L. 106–554, excluding sections 162 and  
14 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16,  
15 P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
16 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.  
17 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
18 section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,  
19 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,  
20 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the same  
21 time as for federal purposes.

22 **SECTION 1361.** 71.26 (2) (b) 16. of the statutes is amended to read:

23 71.26 (2) (b) 16. For taxable years that begin after December 31, 2002, and  
24 before January 1, 2004, for a corporation, conduit, or common law trust which  
25 qualifies as a regulated investment company, real estate mortgage investment



1 conduit, real estate investment trust, or financial asset securitization investment  
2 trust under the Internal Revenue Code as amended to December 31, 2002, excluding  
3 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
4 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
5 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
6 106–573, section 431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended  
7 by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121,  
8 excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
9 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,  
10 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336,  
11 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, and as indirectly affected in the  
12 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
13 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
14 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
15 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
16 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
17 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
18 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
19 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
20 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
21 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
22 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.  
23 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
24 section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173,  
25 P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and

1 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
2 and 910 of P.L. 108–357, and P.L. 108–375, “net income” means the federal regulated  
3 investment company taxable income, federal real estate mortgage investment  
4 conduit taxable income, federal real estate investment trust or financial asset  
5 securitization investment trust taxable income of the corporation, conduit, or trust  
6 as determined under the Internal Revenue Code as amended to December 31, 2002,  
7 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
8 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
9 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
10 106–573, section 431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended  
11 by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121,  
12 excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
13 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,  
14 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336,  
15 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, and as indirectly affected in the  
16 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
17 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
18 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
19 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
20 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
21 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
22 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
23 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
24 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
25 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101

1 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.  
2 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
3 section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173,  
4 P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
5 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
6 and 910 of P.L. 108–357, and P.L. 108–375, except that property that, under s. 71.02  
7 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986  
8 under the Internal Revenue Code as amended to December 31, 1980, shall continue  
9 to be depreciated under the Internal Revenue Code as amended to  
10 December 31, 1980, and except that the appropriate amount shall be added or  
11 subtracted to reflect differences between the depreciation or adjusted basis for  
12 federal income tax purposes and the depreciation or adjusted basis under this  
13 chapter of any property disposed of during the taxable year. The Internal Revenue  
14 Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
15 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
16 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,  
17 sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and  
18 section 101 of P.L. 107–147, and as amended by P.L. 108–27, excluding sections 106,  
19 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
20 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L.  
21 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.  
22 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
23 and P.L. 108–375, and as indirectly affected in the provisions applicable to this  
24 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
25 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,

1 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
2 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
3 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
4 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
5 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
6 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
7 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
8 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L.  
9 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding  
10 sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.  
11 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
12 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
13 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
14 P.L. 108–357, and P.L. 108–375, applies for Wisconsin purposes at the same time as  
15 for federal purposes. Amendments to the Internal Revenue Code enacted after  
16 December 31, 2002, do not apply to this subdivision with respect to taxable years that  
17 begin after December 31, 2002, and before January 1, 2004, except that changes to  
18 the Internal Revenue Code made by P.L. 108–27, excluding sections 106, 201, and  
19 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,  
20 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
21 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
22 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L.  
23 108–375, and changes that indirectly affect the provisions applicable to this  
24 subchapter made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27,  
25 P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section

1 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections  
2 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101,  
3 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and P.L. 108-375, apply for  
4 Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 1362.** 71.26 (2) (b) 17. of the statutes is created to read:

6 71.26 (2) (b) 17. For taxable years that begin after December 31, 2003, and  
7 before January 1, 2005, for a corporation, conduit, or common law trust which  
8 qualifies as a regulated investment company, real estate mortgage investment  
9 conduit, real estate investment trust, or financial asset securitization investment  
10 trust under the Internal Revenue Code as amended to December 31, 2003, excluding  
11 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),  
12 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
13 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L.  
14 106-573, section 431 of P.L. 107-16, section 101 of P.L. 107-147, sections 106, 201,  
15 and 202 of P.L. 108-27, section 109 of P.L. 108-121, and section 1201 of P.L. 108-173,  
16 and as amended by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,  
17 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201,  
18 244, 336, 337, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, and as  
19 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
20 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
21 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.  
22 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),  
23 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.  
24 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
25 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.

1 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
2 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
3 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
4 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
5 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
6 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding  
7 section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding  
8 sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding  
9 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L.  
10 108–476, “net income” means the federal regulated investment company taxable  
11 income, federal real estate mortgage investment conduit taxable income, federal real  
12 estate investment trust or financial asset securitization investment trust taxable  
13 income of the corporation, conduit, or trust as determined under the Internal  
14 Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and  
15 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
16 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
17 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
18 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section  
19 109 of P.L. 108–121, and section 1201 of P.L. 108–173, and as amended by P.L.  
20 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
21 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
22 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as indirectly affected in the  
23 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
24 P.L. 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, P.L. 107–358, P.L. 108–27,  
9 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section  
10 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
11 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
12 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
13 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, except that property that, under  
14 s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years  
15 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980,  
16 shall continue to be depreciated under the Internal Revenue Code as amended to  
17 December 31, 1980, and except that the appropriate amount shall be added or  
18 subtracted to reflect differences between the depreciation or adjusted basis for  
19 federal income tax purposes and the depreciation or adjusted basis under this  
20 chapter of any property disposed of during the taxable year. The Internal Revenue  
21 Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.  
22 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
23 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,  
24 sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section  
25 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 109 of P.L.

1 108-121, and section 1201 of P.L. 108-173, and as amended by P.L. 108-203, P.L.  
2 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
3 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
4 P.L. 108-357, P.L. 108-375, and P.L. 108-476, 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 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
7 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
8 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
9 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,  
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.  
11 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.  
12 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections  
13 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
14 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101  
15 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
16 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
17 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
18 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403  
19 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and  
20 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, applies for Wisconsin purposes  
21 at the same time as for federal purposes. Amendments to the Internal Revenue Code  
22 enacted after December 31, 2003, do not apply to this subdivision with respect to  
23 taxable years that begin after December 31, 2003, and before January 1, 2005,  
24 except that changes to the Internal Revenue Code made by P.L. 108-203, P.L.  
25 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.



1 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
2 P.L. 108–357, P.L. 108–375, and P.L. 108–476, and changes that indirectly affect the  
3 provisions applicable to this subchapter made by P.L. 108–203, P.L. 108–218, P.L.  
4 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.  
5 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
6 P.L. 108–375, and P.L. 108–476, apply for Wisconsin purposes at the same time as  
7 for federal purposes.

8 **SECTION 1363.** 71.26 (2) (b) 18. of the statutes is created to read:

9 71.26 (2) (b) 18. For taxable years that begin after December 31, 2004, for a  
10 corporation, conduit, or common law trust which qualifies as a regulated investment  
11 company, real estate mortgage investment conduit, real estate investment trust, or  
12 financial asset securitization investment trust under the Internal Revenue Code as  
13 amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102–227,  
14 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections  
15 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and  
16 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of  
17 P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27,  
18 section 1201 of P.L. 108–173, sections 306, 308, 401, and 403 (a) of P.L. 108–311, and  
19 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly  
20 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
21 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,  
22 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
23 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
24 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.  
25 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

1 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
2 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
3 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
4 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
5 excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
6 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
7 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
8 108–218, P.L. 108–311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108–311,  
9 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.  
10 108–357, P.L. 108–375, and P.L. 108–476, “net income” means the federal regulated  
11 investment company taxable income, federal real estate mortgage investment  
12 conduit taxable income, federal real estate investment trust or financial asset  
13 securitization investment trust taxable income of the corporation, conduit, or trust  
14 as determined under the Internal Revenue Code as amended to December 31, 2004,  
15 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
16 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
17 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165  
18 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147,  
19 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
20 308, 401, and 403 (a) of P.L. 108–311, and sections 101, 201, 244, 336, 337, 909, and  
21 910 of P.L. 108–357, 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 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 section 101 of P.L. 107–147, P.L.  
7 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections  
8 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201  
9 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,  
10 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244,  
11 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, except that  
12 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
13 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
14 December 31, 1980, shall continue to be depreciated under the Internal Revenue  
15 Code as amended to December 31, 1980, and except that the appropriate amount  
16 shall be added or subtracted to reflect differences between the depreciation or  
17 adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
18 under this chapter of any property disposed of during the taxable year. The Internal  
19 Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and  
20 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
21 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
22 sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
23 106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201,  
24 and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 401, and 403  
25 (a) of P.L. 108–311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,

1 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
2 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
3 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
4 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
5 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
6 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
7 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
8 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
9 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,  
10 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
11 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.  
12 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and  
13 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
14 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 401,  
15 and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337,  
16 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, applies for Wisconsin  
17 purposes at the same time as for federal purposes. Amendments to the Internal  
18 Revenue Code enacted after December 31, 2004, do not apply to this subdivision with  
19 respect to taxable years that begin after December 31, 2004.

20 **SECTION 1365.** 71.28 (1di) (b) 1. of the statutes is repealed.

21 **\*-0402/7.6\*SECTION 1366.** 71.28 (1dL) (c) 1. of the statutes is repealed.

22 **\*-0402/8\*SECTION 1367.** 71.28 (1dL) (c) 2. of the statutes is renumbered 71.28  
23 (1dL) (c).

24 **\*-0402/8\*SECTION 1368.** 71.28 (1dL) (d) of the statutes is amended to read:

1           71.28 (1dL) (d) Except as provided in par. (c) 2., the carry-over provisions of  
2 sub. (4) (e) and (f) as they relate to the credit under that subsection relate to the credit  
3 under this subsection and apply as if the development zone continued to exist.

4           **SECTION 1369.** 71.28 (1dm) (hm) of the statutes is amended to read:

5           71.28 (1dm) (hm) ~~Credits claimed~~ A claimant may claim the credit under this  
6 subsection, including any credits carried over, ~~may be offset only~~ against the amount  
7 of the tax otherwise due under this subchapter ~~attributable to income from the~~  
8 ~~business operations of the claimant in the development zone; except that a claimant~~  
9 ~~in a development zone under s. 560.795 (1) (e) may offset credits, including any~~  
10 ~~credits carried over, against the amount of the tax otherwise due under this~~  
11 ~~subchapter attributable to all of the claimant's income; and against the tax~~  
12 ~~attributable to income from directly related business operations of the claimant.~~

13           **SECTION 1370.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

14           71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides  
15 in an empowerment zone, ~~or an enterprise community, that the U.S. government~~  
16 ~~designates~~ area designated by the federal government as an economic revitalization  
17 area, a person who is employed in an unsubsidized job but meets the eligibility  
18 requirements under s. 49.145 (2) and (3) for a Wisconsin works Works employment  
19 position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a  
20 person who is eligible for child care assistance under s. 49.155, a person who is a  
21 vocational rehabilitation referral, an economically disadvantaged youth, an  
22 economically disadvantaged veteran, a supplemental security income recipient, a  
23 general assistance recipient, an economically disadvantaged ex-convict, a qualified  
24 summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as  
25 defined in 29 USC 2801 (9), or a food stamp recipient; ~~if the person has been certified~~

1 in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub.  
2 (1dj) (am) 2.

3 **SECTION 1371.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

4 71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
5 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person  
6 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3),  
7 560.797 (4) or 560.798 (3), any person may claim as a credit against the taxes imposed  
8 on the person's income from the person's business activities in a development zone  
9 otherwise due under this chapter the following amounts:

10 **SECTION 1376.** 71.28 (2m) (a) 1. b. of the statutes is amended to read:

11 71.28 (2m) (a) 1. b. For partnerships, except publicly traded partnerships  
12 treated as corporations under s. 71.22 (1) (1k), or limited liability companies, except  
13 limited liability companies treated as corporations under s. 71.22 (1) (1k), "claimant"  
14 means each individual partner or member.

15 **SECTION 1377.** 71.28 (3n) (title) of the statutes is amended to read:

16 71.28 (3n) (title) DAIRY AND LIVESTOCK FARM INVESTMENT CREDIT.

17 **SECTION 1381b.** 71.28 (3n) (a) 2. (intro.) of the statutes is amended to read:

18 71.28 (3n) (a) 2. (intro.) "Dairy farm modernization or expansion" means the  
19 construction, the improvement, or the acquisition of buildings or facilities, or  
20 acquiring equipment, for dairy animal housing, confinement, animal feeding, milk  
21 production, or waste management, including the following, if used exclusively  
22 related to dairy animals and if acquired and placed in service in this state during  
23 taxable years that begin after December 31, 2003, and before January 1, 2010:

24 **SECTION 1381c.** 71.28 (3n) (a) 4. of the statutes is created to read:

1           71.28 (3n) (a) 4. “Livestock” means cattle, not including dairy animals; swine;  
2           poultry, not including farm–raised game birds or ratites; fish that are raised in  
3           aquaculture facilities; sheep; and goats.

4           **SECTION 1381d.** 71.28 (3n) (a) 5. of the statutes is created to read:

5           71.28 (3n) (a) 5. “Livestock farm modernization or expansion” means the  
6           construction, the improvement, or the acquisition of buildings or facilities, or the  
7           acquisition of equipment, for livestock housing, confinement, feeding, or waste  
8           management, including the following, if used exclusively related to livestock and if  
9           acquired and placed in service in this state during taxable years that begin after  
10          December 31, 2005, and before January 1, 2012:

- 11           a. Birthing structures.
- 12           b. Rearing structures.
- 13           c. Feedlot structures.
- 14           d. Feed storage and handling equipment.
- 15           e. Fences.
- 16           f. Watering facilities.
- 17           g. Scales.
- 18           h. Manure pumping and storage facilities.
- 19           i. Digesters.
- 20           j. Equipment used to produce energy.
- 21           k. Fish hatchery buildings.
- 22           L. Fish processing buildings.
- 23           m. Fish rearing ponds.

24          **SECTION 1381e.** 71.28 (3n) (a) 6. of the statutes is created to read:

1           71.28 (3n) (a) 6. a. For taxable years that begin after December 31, 2003, and  
2 before January 1, 2006, “used exclusively,” related to dairy animals, means used to  
3 the exclusion of all other uses except for use not exceeding 5 percent of total use.

4           b. For taxable years that begin after December 31, 2005, and before January  
5 1, 2010, “used exclusively,” related to livestock, dairy animals, or both, means used  
6 to the exclusion of all other uses except for use not exceeding 5 percent of total use.

7           c. For taxable years that begin after December 31, 2009, and before January  
8 1, 2012, “used exclusively,” related to livestock, means used to the exclusion of all  
9 other uses except for use not exceeding 5 percent of total use.

10           **SECTION 1382b.** 71.28 (3n) (b) of the statutes is renumbered 71.28 (3n) (b) 1.

11           **SECTION 1382c.** 71.28 (3n) (b) 2. of the statutes is created to read:

12           71.28 (3n) (b) 2. Subject to the limitations provided in this subsection, for  
13 taxable years that begin after December 31, 2005, and before January 1, 2012, a  
14 claimant may claim as a credit against the tax imposed under s. 71.23 an amount  
15 equal to 10 percent of the amount the claimant paid in the taxable year for livestock  
16 farm modernization or expansion related to the operation of the claimant’s livestock  
17 farm.

18           **SECTION 1382d.** 71.28 (3n) (e) of the statutes is renumbered 71.28 (3n) (e) 1.  
19 and amended to read:

20           71.28 (3n) (e) 1. Partnerships, limited liability companies, and tax-option  
21 corporations may not claim the credit under this subsection, but the eligibility for,  
22 and the amount of, the credit are based on their payment of expenses under par. (b),  
23 except that the aggregate amount of credits that the entity may compute shall not  
24 exceed \$50,000. A partnership, limited liability company, or tax-option corporation  
25 shall compute the amount of credit that each of its partners, members, or



1 shareholders may claim and shall provide that information to each of them.  
2 Partners, members of limited liability companies, and shareholders of tax-option  
3 corporations may claim the credit in proportion to their ownership interest.

4 **SECTION 1382e.** 71.28 (3n) (e) 2. of the statutes is created to read:

5 71.28 (3n) (e) 2. If 2 or more persons own and operate the dairy or livestock  
6 farm, each person may claim a credit under par. (b) in proportion to his or her  
7 ownership interest, except that the aggregate amount of the credits claimed by all  
8 persons who own and operate the farm shall not exceed \$50,000.

9 **SECTION 1383.** 71.28 (4) (a) of the statutes is amended to read:

10 71.28 (4) (a) *Credit.* Any corporation may credit against taxes otherwise due  
11 under this chapter an amount equal to 5% of the amount obtained by subtracting  
12 from the corporation's qualified research expenses, as defined in section 41 of the  
13 internal revenue code, except that "qualified research expenses" includes only  
14 expenses incurred by the claimant, incurred for research conducted in this state for  
15 the taxable year, except that a taxpayer may elect the alternative computation under  
16 section 41 (c) (4) of the Internal Revenue Code and that election applies until the  
17 department permits its revocation and except that "qualified research expenses"  
18 does not include compensation used in computing the credit under subs. (1dj) and  
19 (1dx), the corporation's base amount, as defined in section 41 (c) of the internal  
20 revenue code, except that gross receipts used in calculating the base amount means  
21 gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. and,  
22 (d), (df), and (dh). Section 41 (h) of the internal revenue code does not apply to the  
23 credit under this paragraph.

24 **SECTION 1384.** 71.28 (4) (am) 1. of the statutes is amended to read:

1           71.28 (4) (am) 1. In addition to the credit under par. (a), any corporation may  
2           credit against taxes otherwise due under this chapter an amount equal to 5% of the  
3           amount obtained by subtracting from the corporation's qualified research expenses,  
4           as defined in section 41 of the internal revenue code, except that "qualified research  
5           expenses" include only expenses incurred by the claimant in a development zone  
6           under subch. VI of ch. 560, except that a taxpayer may elect the alternative  
7           computation under section 41 (c) (4) of the Internal Revenue Code and that election  
8           applies until the department permits its revocation and except that "qualified  
9           research expenses" do not include compensation used in computing the credit under  
10          sub. (1dj) nor research expenses incurred before the claimant is certified for tax  
11          benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41  
12          (c) of the internal revenue code, in a development zone, except that gross receipts  
13          used in calculating the base amount means gross receipts from sales attributable to  
14          Wisconsin under s. 71.25 (9) (b) 1. and 2. ~~and~~, (d), (df), and (dh) and research expenses  
15          used in calculating the base amount include research expenses incurred before the  
16          claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if  
17          the claimant submits with the claimant's return a copy of the claimant's certification  
18          for tax benefits under s. 560.765 (3) and a statement from the department of  
19          commerce verifying the claimant's qualified research expenses for research  
20          conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to  
21          the credit under this subdivision. The rules under sub. (1di) (f) and (g) as they apply  
22          to the credit under that subsection apply to claims under this subdivision. Section  
23          41 (h) of the internal revenue code does not apply to the credit under this subdivision.

24           **SECTION 1385.** 71.28 (4) (i) of the statutes is amended to read: