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P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~ 1329 of P.L. 109-58, ~~and~~ P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 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, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~ 1329 of P.L. 109-58, ~~and~~ P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, apply for Wisconsin purposes at the same time as for federal purposes.

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SECTION 37. 71.34 (1g) (p) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

71.34 (1g) (p) "Internal Revenue Code" for tax-option corporations, for taxable years that begin after December 31, 2002, and before January 1, 2004, means the federal Internal Revenue Code as amended to December 31, 2002, excluding sections

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and 301(a)

sections

1 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
 2 13203 (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 amendeded 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, 422, 909,
 9 and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding
 10 sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L.
 11 109-58, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
 12 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and as indirectly
 13 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
 14 P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
 15 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
 16 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
 17 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
 18 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
 19 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
 20 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
 21 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
 22 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
 23 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
 24 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L.
 25 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,

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1 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
 2 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
 3 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403
 4 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909,
 5 and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding
 6 sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L.
 7 109-58, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
 8 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, except that section
 9 1366 (f) (relating to pass-through of items to shareholders) is modified by
 10 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
 11 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
 12 purposes. Amendments to the federal Internal Revenue Code enacted after
 13 December 31, 2002, do not apply to this paragraph with respect to taxable years
 14 beginning after December 31, 2002, and before January 1, 2004, except that changes
 15 to the Internal Revenue Code made by P.L. 108-27, excluding sections 106, 201, and
 16 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173,
 17 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
 18 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
 19 excluding sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L. 108-357, and P.L.
 20 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323,
 21 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, and P.L. 109-135, excluding
 22 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
 23 (q), and 405 of P.L. 109-135, and changes that indirectly affect the provisions
 24 applicable to this subchapter made by P.L. 108-27, excluding sections 106, 201, and
 25 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173,

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1 excluding section 1201 of P.L. 108-173, 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, 422, 909, and 910 of P.L. 108-357, and P.L.
 4 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323,
 5 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, and P.L. 109-135, excluding
 6 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
 7 (q), and 405 of P.L. 109-135, apply for Wisconsin purposes at the same time as for
 8 federal purposes.

(INSERT A)

9 **SECTION 38.** 71.34 (1g) (q) of the statutes, as created by 2005 Wisconsin Act 25,
 10 is amended to read:

11 71.34 (1g) (q) "Internal Revenue Code" for tax-option corporations, for taxable
 12 years that begin after December 31, 2003, and before January 1, 2005, means the
 13 federal Internal Revenue Code as amended to December 31, 2003, excluding sections
 14 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
 15 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 16 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
 17 431 of P.L. 107-16, section 101 of P.L. 107-147, sections 106, 201, and 202 of P.L.
 18 108-27, section 109 of P.L. 108-121, and section 1201 of P.L. 108-173, and as
 19 amended by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307,
 20 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244,
 21 336, 337, 422, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L.
 22 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
 23 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L.
 24 109-73, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
 25 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and as indirectly

(INSERT C)

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1 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
 2 P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
 3 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
 4 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
 5 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
 6 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
 7 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
 8 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
 9 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
 10 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
 11 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
 12 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding ^{sections} ~~section~~ 101 ^{and 301(a)} of P.L.
 13 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
 14 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
 15 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
 16 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 ^{316,}
 17 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, ^{847,}
 18 and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, ^{211, 242,}
 19 excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 ^{1348, and}
 20 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, and P.L. 109-135, ¹³⁵¹
 21 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 22 (j), and (q), and 405 of P.L. 109-135, except that section 1366 (f) (relating to
 23 pass-through of items to shareholders) is modified by substituting the tax under s.
 24 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies
 25 for Wisconsin purposes at the same time as for federal purposes. Amendments to the

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1 federal Internal Revenue Code enacted after December 31, 2003, do not apply to this
 2 paragraph with respect to taxable years beginning after December 31, 2003, and
 3 before January 1, 2005, except that changes to the Internal Revenue Code made by
 4 P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and ^{316,}
 5 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, ^{847,}
 6 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, ^{211, 242,} P.L. 109-7, P.L.
 7 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~
 8 1329 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, ~~and~~ P.L.
 9 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
 10 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and changes that indirectly affect ^{INSERT C}
 11 the provisions applicable to this subchapter made by P.L. 108-203, P.L. 108-218, P.L.
 12 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L.
 13 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L. ^{847,}
 14 108-357, P.L. 108-375, and P.L. 108-476, ^{211, 242,} P.L. 109-7, P.L. 109-58, excluding sections
 15 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~ 1329 of P.L. 109-58, P.L.
 16 109-73, excluding section 301 of P.L. 109-73, ~~and~~ P.L. 109-135, excluding sections
 17 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405
 18 of P.L. 109-135, apply for Wisconsin purposes at the same time as for federal
 19 purposes. ^{INSERT C}

20 **SECTION 39.** 71.34 (1g) (r) of the statutes, as created by 2005 Wisconsin Act 25,
 21 is amended to read:

22 71.34 (1g) (r) "Internal Revenue Code" for tax-option corporations, for taxable
 23 years that begin after December 31, 2004, and before January 1, 2006, means the
 24 federal Internal Revenue Code as amended to December 31, 2004, excluding sections
 25 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and

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and 301(a)

1 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 2 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
 3 P.L. 106-573, section 431 of P.L. 107-16, ^{sections} ~~section~~ 101 of P.L. 107-147, sections 106,
 4 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 401, and
 5 403 (a) of P.L. 108-311, and sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L.
 6 108-357, and as amendeded by P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308,
 7 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~ 1329 of P.L. 109-58, P.L. 109-73,
 8 excluding section 301 of P.L. 109-73, ~~and~~ P.L. 109-135, excluding sections 101, 105,
 9 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
 10 109-135, and as indirectly affected in the provisions applicable to this subchapter
 11 by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d)
 12 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.
 13 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
 14 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
 15 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
 16 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
 17 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 18 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
 19 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
 20 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
 21 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
 22 ^{sections} ~~section~~ 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
 23 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
 24 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
 25 108-218, P.L. 108-311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108-311,

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1 P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L.
 2 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
 3 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L.
 4 109-73, excluding section 301 of P.L. 109-73, and P.L. 109-135, excluding sections
 5 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405
 6 of P.L. 109-135, except that section 1366 (f) (relating to pass-through of items to
 7 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
 8 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
 9 at the same time as for federal purposes. Amendments to the federal Internal
 10 Revenue Code enacted after December 31, 2004, do not apply to this paragraph with
 11 respect to taxable years beginning after December 31, 2004, and before January 1,
 12 2006, except that changes to the Internal Revenue Code made by P.L. 109-7, P.L.
 13 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and
 14 1329 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, and P.L.
 15 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
 16 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and changes that indirectly affect
 17 the provisions applicable to this subchapter made by P.L. 109-7, P.L. 109-58,
 18 excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329
 19 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, and P.L. 109-135,
 20 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 21 (j), and (q), and 405 of P.L. 109-135, apply for Wisconsin purposes at the same time
 22 as for federal purposes.

SECTION 40. 71.34 (1g) (s) of the statutes is created to read:

24 71.34 (1g) (s) "Internal Revenue Code" for tax-option corporations, for taxable
 25 years that begin after December 31, 2005, means the federal Internal Revenue Code

and before January 1, 2007,

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sections

1 as amended to December 31, 2005, excluding sections 103, 104, and 110 of P.L.
2 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
3 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
4 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
5 431 of P.L. 107-16, ~~section~~ ^{and 301(a)} 101 of P.L. 107-147, sections 106, 201, and 202 of P.L.
6 108-27, section 1201 of P.L. 108-173, sections 306, 308, ^{316,} 401, and 403 (a) of P.L.
7 108-311, sections ^{211, 242,} 101, 201, 244, 336, 337, 422, ^{847,} 909, and 910 of P.L. 108-357, P.L.
8 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~ ^{1348, and 1351} 1329 of
9 P.L. 109-58, ^{INSERT G} section 301 of P.L. 109-73, and sections 101, 105, 201 (a) as it relates
10 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, ^{INSERT H} and as
11 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
12 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
13 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
14 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
15 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
16 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
17 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
18 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
19 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
20 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections
21 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
22 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding ^{sections} ~~section~~ 101
23 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,
24 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
25 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,

BILL

1358, and 1351

1 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding
 2 sections 101, 211, 242, 201, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L.
 3 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323,
 4 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-59, P.L. 109-73, excluding
 5 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
 6 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and
 7 P.L. 109-151, except that section 1366 (f) (relating to pass-through of items to
 8 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
 9 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
 10 at the same time as for federal purposes. Amendments to the federal Internal
 11 Revenue Code enacted after December 31, 2005, do not apply to this paragraph with
 12 respect to taxable years beginning after December 31, 2005.

INSERT 99-12

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13 **SECTION 41.** 71.42 (2) (k) of the statutes, as affected by 2005 Wisconsin Act 25,
 14 is repealed.

15 **SECTION 42.** 71.42 (2) (L) of the statutes, as affected by 2005 Wisconsin Act 25,
 16 is amended to read: *repealed.*

17 ~~71.42 (2) (L) For taxable years that begin after December 31, 1997, and before~~
 18 ~~January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code~~
 19 ~~as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.~~
 20 ~~102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66~~
 21 ~~and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as~~
 22 ~~amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170,~~
 23 ~~P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding~~
 24 ~~section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and~~
 25 ~~406 of P.L. 107-147, P.L. 107-181, P.L. 108-121, excluding section 109 of P.L.~~

BILL

1 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
2 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and
3 910 of P.L. 108-357, P.L. 109-7, and P.L. 109-135, excluding sections 101, 105, 201
4 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
5 109-135, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
6 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
7 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
8 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
9 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
11 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, 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, P.L. 107-181, P.L. 108-121,
15 excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308,
16 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244,
17 336, 337, 422, 909, and 910 of P.L. 108-357, P.L. 109-7, and P.L. 109-135, excluding
18 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
19 (q), and 405 of P.L. 109-135, except that "Internal Revenue Code" does not include
20 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
21 applies for Wisconsin purposes at the same time as for federal purposes.
22 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,
23 do not apply to this paragraph with respect to taxable years beginning after
24 December 31, 1997, and before January 1, 1999, except that changes to the Internal
25 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.

BILL

1 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
2 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
3 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 108-121, excluding section 109 of P.L.
4 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
5 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and
6 910 of P.L. 108-357, P.L. 109-7, and P.L. 109-135, excluding sections 101, 105, 201
7 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
8 109-135, and changes that indirectly affect the provisions applicable to this
9 subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
10 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
11 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
12 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 108-121, excluding section 109 of P.L.
13 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
14 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and
15 910 of P.L. 108-357, P.L. 109-7, and P.L. 109-135, excluding sections 101, 105, 201
16 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
17 109-135, apply for Wisconsin purposes at the same time as for federal purposes.

18 **SECTION 43.** 71.42 (2) (m) of the statutes, as affected by 2005 Wisconsin Act 25,
19 is amended to read:

20 71.42 (2) (m) For taxable years that begin after December 31, 1998, and before
21 January 1, 2000, "Internal Revenue Code" means the federal Internal Revenue Code
22 as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.
23 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
24 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
25 amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding

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301(a)

1 sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L.
 2 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,
 3 P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
 4 108-311, excluding sections 306, 307, 308, ³¹⁶401, and 403 (a) of P.L. 108-311, and P.L.
 5 108-357, excluding sections 101, 201, ^{211, 242}244, 336, 337, 422, ⁸⁴⁷909, and 910 of P.L.
 6 108-357, P.L. 109-7, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it
 7 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and
 8 as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
 9 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
 10 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
 11 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
 12 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
 13 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
 14 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
 15 106-36, P.L. 106-170, P.L. 106-230, 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, P.L. 107-181, P.L. 107-276,
 18 P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections
 19 306, 307, 308, ³¹⁶401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections
 20 101, 201, ^{211, 242}244, 336, 337, 422, ⁸⁴⁷909, and 910 of P.L. 108-357, P.L. 109-7, and P.L.
 21 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
 22 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, except that "Internal Revenue Code"
 23 does not include section 847 of the federal Internal Revenue Code. The Internal
 24 Revenue Code applies for Wisconsin purposes at the same time as for federal
 25 purposes. Amendments to the federal Internal Revenue Code enacted after

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1 December 31, 1998, do not apply to this paragraph with respect to taxable years
 2 beginning after December 31, 1998, and before January 1, 2000, except that
 3 changes to the Internal Revenue Code made by P.L. 106-36, P.L. 106-170, P.L.
 4 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, 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, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding
 7 section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and
 8 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337,
 9 422, 909, and 910 of P.L. 108-357, P.L. 109-7, and P.L. 109-135, excluding sections
 10 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405
 11 of P.L. 109-135, and changes that indirectly affect the provisions applicable to this
 12 subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
 13 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
 14 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
 15 107-147, P.L. 107-181, P.L. 107-276, P.L. 108-121, excluding section 109 of P.L.
 16 108-121, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
 17 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and
 18 910 of P.L. 108-357, P.L. 109-7, and P.L. 109-135, excluding sections 101, 105, 201
 19 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
 20 109-135, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 44. 71.42 (2) (n) of the statutes, as affected by 2005 Wisconsin Act 25,

is amended to read:

71.42 (2) (n) For taxable years that begin after December 31, 1999, and before
 January 1, 2003, "Internal Revenue Code" means the federal Internal Revenue Code
 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.

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1 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
2 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
3 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, 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, 422, ³⁴⁷909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding
11 sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L.
12 109-58, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
13 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and as indirectly
14 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
15 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
16 110 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. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
23 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,
24 P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding
25 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.

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1 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403
 2 (a) of P.L. 108-311, ~~and~~ P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422,
 3 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308,
 4 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~ 1329 of P.L. 109-58, ~~and~~ P.L. 109-135,
 5 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 6 (j), and (q), and 405 of P.L. 109-135, except that "Internal Revenue Code" does not
 7 include section 847 of the federal Internal Revenue Code. The Internal Revenue
 8 Code applies for Wisconsin purposes at the same time as for federal purposes.
 9 Amendments to the federal Internal Revenue Code enacted after December 31, 1999,
 10 do not apply to this paragraph with respect to taxable years beginning after
 11 December 31, 1999, and before January 1, 2003, except that changes to the Internal
 12 Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165
 13 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
 14 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of
 15 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. 108-218, P.L. 108-311, excluding sections 306, 307, 308,
 18 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244,
 19 336, 337, 422, 909, and 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding
 20 sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and~~ 1329 of P.L.
 21 109-58, ~~and~~ P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
 22 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and changes that
 23 indirectly affect the provisions applicable to this subchapter made by P.L. 106-230,
 24 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L.
 25 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.

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SECTION 44

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1 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181,
 2 P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201,
 3 and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
 4 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 316,
 5 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and 847,
 6 910 of P.L. 108-357, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 211, 242,
 7 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, and P.L. 109-135,
 8 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 9 (j), and (q), and 405 of P.L. 109-135, apply for Wisconsin purposes at the same time
 10 as for federal purposes. (INSERT A) 1348, and 1351

11 **SECTION 45.** 71.42 (2) (o) of the statutes, as affected by 2005 Wisconsin Act 25,
 12 is amended to read:

13 71.42 (2) (o) For taxable years that begin after December 31, 2002, and before
 14 January 1, 2004, "Internal Revenue Code" means the federal Internal Revenue Code
 15 as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.
 16 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
 17 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
 18 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and
 19 section 101 of P.L. 107-147, and as amended by P.L. 108-27, excluding sections 106,
 20 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
 21 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L.
 22 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L.
 23 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L.
 24 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308,
 25 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, and P.L. 109-135,

1348, and 1351

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1 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 2 (j), and (q), and 405 of P.L. 109-135, and as indirectly affected by P.L. 99-514, P.L.
 3 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
 4 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
 5 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
 6 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
 7 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
 8 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
 9 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
 10 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,
 11 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
 12 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
 13 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
 14 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding
 15 section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding
 16 sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding
 17 sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L. 108-357, and P.L. 108-375,
 18 P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
 19 1326, 1328, and 1329 of P.L. 109-58, and P.L. 109-135, excluding sections 101, 105,
 20 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
 21 109-135, except that "Internal Revenue Code" does not include section 847 of the
 22 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin
 23 purposes at the same time as for federal purposes. Amendments to the federal
 24 Internal Revenue Code enacted after December 31, 2002, do not apply to this
 25 paragraph with respect to taxable years beginning after December 31, 2002, and

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1 before January 1, 2004, except that changes to the Internal Revenue Code made by
 2 P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121,
 3 excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.
 4 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308,
 5 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336,
 6 337, 422, 909, and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58,
 7 excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329
 8 of P.L. 109-58, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to
 9 section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and changes
 10 that indirectly affect the provisions applicable to this subchapter made by P.L.
 11 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding
 12 section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173,
 13 P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and
 14 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422,
 15 909, and 910 of P.L. 108-357, and P.L. 108-375, P.L. 109-7, P.L. 109-58, excluding
 16 sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L.
 17 109-58, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
 18 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, apply for Wisconsin
 19 purposes at the same time as for federal purposes.

20 **SECTION 46.** 71.42 (2) (p) of the statutes, as created by 2005 Wisconsin Act 25,
 21 is amended to read:

22 71.42 (2) (p) For taxable years that begin after December 31, 2003, and before
 23 January 1, 2005, "Internal Revenue Code" means the federal Internal Revenue Code
 24 as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.
 25 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,

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and

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and 301(a)

sections

1 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
 2 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section
 3 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 109 of P.L.
 4 108-121, and section 1201 of P.L. 108-173, and as amendeded by P.L. 108-203, P.L.
 5 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.
 6 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909, and 910
 7 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding
 8 sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L.
 9 109-58, P.L. 109-73, excluding section 301 of P.L. 109-73, and P.L. 109-135,
 10 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 11 (j), and (q), and 405 of P.L. 109-135, and as indirectly affected by P.L. 99-514, P.L.
 12 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
 13 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
 14 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
 15 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
 16 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
 17 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
 18 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
 19 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,
 20 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
 21 107-147, excluding sections 101 and 301(a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
 22 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
 23 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding
 24 section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding
 25 sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding

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and
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1 sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L. 108-357, P.L. 108-375, and
 2 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
 3 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-73, excluding section
 4 301 of P.L. 109-73, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates
 5 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, except that
 6 "Internal Revenue Code" does not include section 847 of the federal Internal Revenue
 7 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time
 8 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
 9 after December 31, 2003, do not apply to this paragraph with respect to taxable years
 10 beginning after December 31, 2003, and before January 1, 2005, except that changes
 11 to the Internal Revenue Code made by P.L. 108-203, P.L. 108-218, P.L. 108-311,
 12 excluding sections 306, 307, 308, ^{316,} 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
 13 excluding sections 101, 201, 244, 336, 337, 422, 909, and 910 of P.L. 108-357, P.L.
 14 108-375, and P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308,
 15 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-73,
 16 excluding section 301 of P.L. 109-73, and P.L. 109-135, excluding sections 101, 105,
 17 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L.
 18 109-135, and changes that indirectly affect the provisions applicable to this
 19 subchapter made by P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections
 20 306, 307, 308, ^{316,} 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101,
 21 201, 244, 336, 337, 422, 909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476,
 22 P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
 23 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-73, excluding section 301 of P.L.
 24 109-73, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section

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1 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, apply for Wisconsin
2 purposes at the same time as for federal purposes.

3 **SECTION 47.** 71.42 (2) (q) of the statutes, ~~as created by 2005 Wisconsin Act 25,~~
4 is amended to read:

5 71.42 (2) (q) For taxable years that begin after December 31, 2004, and before
6 January 1, 2006, "Internal Revenue Code" means the federal Internal Revenue Code
7 as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.
8 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
9 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
10 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
11 431 of P.L. 107-16, ~~section 101~~ ^{sections} of P.L. 107-147, sections 106, 201, and 202 of P.L.
12 108-27, section 1201 of P.L. 108-173, sections 306, 308, ^{316,} 401, and 403 (a) of P.L.
13 108-311, and sections ^{211, 242,} 101, 201, 244, 336, 337, ^{847,} 422, 909, and 910 of P.L. 108-357, and
14 as amended by P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,

15 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-73, excluding section
16 301 of P.L. 109-73, ~~and~~ P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates
17 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and as
18 indirectly affected 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. 106-230, P.L. 106-554, excluding sections 162 and 165 of

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SECTION 47

and 301(a)

1 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
 2 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding ^{sections} section 101 of P.L.
 3 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
 4 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
 5 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
 6 excluding sections 306, 308, ^{316,} 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding
 7 sections ^{211, 242,} 101, 201, 244, 336, 337, ^{347,} 422, 909, and 910 of P.L. 108-357, P.L. 108-375, and
 8 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
 9 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-73, excluding section ^{1348, and 1351}
 10 301 of P.L. 109-73, and P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates
 11 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, except that ^{INSERT E}
 12 "Internal Revenue Code" does not include section 847 of the federal Internal Revenue
 13 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time
 14 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
 15 after December 31, 2004, do not apply to this paragraph with respect to taxable years
 16 beginning after December 31, 2004, and before January 1, 2006, except that changes
 17 to the Internal Revenue Code made by P.L. 109-7, P.L. 109-58, excluding sections
 18 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L.
 19 109-73, excluding section 301 of P.L. 109-73, and P.L. 109-135, excluding sections
 20 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405
 21 of P.L. 109-135, and changes that indirectly affect the provisions applicable to this
 22 subchapter made by P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309,
 23 1310, 1323, 1324, 1325, 1326, 1328, and 1329 of P.L. 109-58, P.L. 109-73, excluding
 24 section 301 of P.L. 109-73, and P.L. 109-135, excluding sections 101, 105, 201 (a) as

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1 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135,
2 apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 48.** 71.42 (2) (r) of the statutes is created to read: *and before January 1, 2007*

4 71.42 (2) (r) For taxable years that begin after December 31, 2005, "Internal
5 Revenue Code" means the federal Internal Revenue Code as amended to
6 December 31, 2005, excluding sections 103, 104, and 110 of P.L. 102-227, sections
7 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
8 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
9 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.
10 *sections* 107-16, ~~section~~ *and 301(a)* 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section
11 1201 of P.L. 108-173, sections 306, 308, *316,* 401, and 403 (a) of P.L. 108-311, sections 101,
12 *211, 242* 201, 244, 336, 337, 422, *847,* 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308,
13 1309, 1310, 1323, 1324, 1325, 1326, 1328, ~~and 1329~~ *1348, and 1351* of P.L. 109-58, *INSERT G* section 301 of P.L.
14 109-73, and sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403
15 (e), (j), and (q), and 405 of P.L. 109-135, *INSERT H* and as indirectly affected by P.L. 99-514, P.L.
16 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
17 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
18 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
19 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
20 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
21 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
22 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
23 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,
24 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
25 107-147, excluding ~~section~~ *sections* 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.

and 301(a)

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1 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
 2 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
 3 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 401, and 403 (a)
 4 of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 422, 909,
 5 and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58,
 6 excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, and 1329
 7 of P.L. 109-58, P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L.
 8 109-135, excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402
 9 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, and P.L. 109-151, except that
 10 "Internal Revenue Code" does not include section 847 of the federal Internal Revenue
 11 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time
 12 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
 13 after December 31, 2005, do not apply to this paragraph with respect to taxable years
 14 beginning after December 31, 2005.

SECTION 49. Nonstatutory provisions.

(1) INTERNAL REVENUE CODE. Changes to the Internal Revenue Code made by
 Public Law 109-135, excluding sections 101, 105, 201 (a) as it relates to section
 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of Public Law 109-135, apply to the
 definitions of "Internal Revenue Code" in chapter 71 of the statutes at the time that
 those changes apply for federal income tax purposes.

(END)

and Public Law 109-280, excluding sections 811 and 844 of Public Law 109-280;

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Analysis insert

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✓
; Public Law 109-222, the Tax Increase Prevention Act; Act

✓
Public Law 109-227, Heroes Earned Retirement Opportunities;

✓
and Public Law 109-280, the Pension Protection Act

end of analysis insert

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1195/?ins
JK:.....

Insert A

1 *no P* and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, ✓

Insert B

2 *no P* , and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280

Insert C

3 *no P* ~~no P~~ P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280, ✓

Insert D

4 *no P* , P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280 ✓

Insert E

5 *no P* P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
6 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L.
7 109-280, ✓

Insert F

8 *no P* , P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
9 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L.
10 109-280 ✓

Insert G

11 *no P* section 11146 of P.L. 109-59, ✓

Insert H

12 *no P* and as amended by P.L. 109-222, excluding sections 101, 207, 209, 503, 512,
13 and 513 of P.L. 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and
14 844 of P.L. 109-280,

Insert I

1 *no ff* excluding section 11146 of P.L. 109-59,

Insert J ✓

2 *no ff* , P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
3 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L.
4 109-280

Insert K

5 *no ff* , and before January 1, 2007, except that changes to the Internal Revenue Code
6 made by P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
7 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L.
8 109-280, and changes that indirectly affect the provisions applicable to this
9 subchapter made by P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513
10 of P.L. 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of
11 P.L. 109-280, apply for Wisconsin purposes at the same time as for federal purposes

Insert L ✓

12 *no ff* P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
13 109-222, P.L. 109-227, and P.L. 109-280, excluding sections 811 and 844 of P.L.
14 109-280,

Insert 17 - 13

15 **SECTION 1.** 71.01 (6) (t) of the statutes is created to read:

16 71.01 (6) (t) For taxable years that begin after December 31, 2006, for natural
17 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
18 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
19 as amended to December 31, 2006, excluding sections 103, 104, and 110 of P.L.
20 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,

1 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
2 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
3 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and
4 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403
5 (a) of P.L. 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
6 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,
7 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301
8 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403
9 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of
10 P.L. 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as
11 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
12 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.
13 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
14 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
15 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.
16 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
17 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
18 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
19 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,
20 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
21 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L.
22 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and
23 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.
24 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316,
25 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242,

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1 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L.
2 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
3 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146
4 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135,
5 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
6 (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections
7 101, 207, 209, 503, 512, and 513 of P.L. 109-222, and P.L. 109-280, excluding sections
8 811 and 844 of P.L. 109-280. The Internal Revenue Code applies for Wisconsin
9 purposes at the same time as for federal purposes. Amendments to the federal
10 Internal Revenue Code enacted after December 31, 2006, do not apply to this
11 paragraph with respect to taxable years beginning after December 31, 2006.

12 **SECTION 2.** 71.01 (7r) (c) of the statutes is created to read:

13 71.01 (7r) (c) Notwithstanding sub. (6), section 101 of P.L. 109-222, related to
14 extending the increased expense deduction under section 179 of the Internal
15 Revenue Code, applies to property used in farming that is acquired and placed in
16 service in taxable years beginning on or after January 1, 2008, and used by a person
17 who is actively engaged in farming. For purposes of this paragraph, "actively
18 engaged in farming" has the meaning given in 7 CFR 1400.201, and "farming" has
19 the meaning given in section 464 (e) (1) of the Internal Revenue Code.

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20 **SECTION 3.** 71.22 (4) (t) of the statutes is created to read:

21 71.22 (4) (t) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
22 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
23 December 31, 2006, means the federal Internal Revenue Code as amended to

1 December 31, 2006, excluding sections 103, 104, and 110 of P.L. 102-227, sections
2 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
3 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
4 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.
5 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
6 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
7 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
8 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
9 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
10 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
11 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of P.L.
12 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as indirectly
13 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
14 P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
15 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
16 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
17 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
18 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
19 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
20 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
21 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
22 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
23 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
24 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a)
25 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,

1 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
2 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
3 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
4 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
5 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
6 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
7 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
8 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
9 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
10 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
11 109-222, and P.L. 109-280, excluding sections 811 and 844 of P.L. 109-280. The
12 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
13 purposes. Amendments to the federal Internal Revenue Code enacted after
14 December 31, 2006, do not apply to this paragraph with respect to taxable years
15 beginning after December 31, 2006.

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16 **SECTION 4.** 71.22 (4m) (r) of the statutes is created to read:

17 71.22 (4m) (r) For taxable years that begin after December 31, 2006, "Internal
18 Revenue Code," for corporations that are subject to a tax on unrelated business
19 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
20 to December 31, 2006, excluding sections 103, 104, and 110 of P.L. 102-227, sections
21 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
22 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
23 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.

1 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
2 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
3 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
4 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
5 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
6 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
7 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of P.L.
8 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as indirectly
9 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
10 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
11 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
12 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
13 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
14 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
15 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
16 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
17 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
18 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
19 excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
20 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
21 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
22 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403
23 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337,
24 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.
25 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,

26 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
 27 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
 28 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
 29 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
 30 209, 503, 512, and 513 of P.L. 109-222, and P.L. 109-280, excluding sections 811 and
 31 844 of P.L. 109-280. The Internal Revenue Code applies for Wisconsin purposes at
 32 the same time as for federal purposes. Amendments to the Internal Revenue Code
 33 enacted after December 31, 2006, do not apply to this paragraph with respect to
 34 taxable years beginning after December 31, 2006.

35 **SECTION 5.** 71.22 (5m) of the statutes is renumbered 71.22 (5m) (a). *LA*

36 **SECTION 6.** 71.22 (5m) (b) of the statutes is created to read: *LA*

37 71.22 (5m) (b) Notwithstanding subs. (4) and (4m), section 101 of P.L. 109-222,
 38 related to extending the increased expense deduction under section 179 of the
 39 Internal Revenue Code, applies to property used in farming that is acquired and
 40 placed in service in taxable years beginning on or after January 1, 2008, and used
 41 by a person who is actively engaged in farming. For purposes of this paragraph,
 42 "actively engaged in farming" has the meaning given in 7 CFR 1400.201, and
 43 "farming" has the meaning given in section 464 (e) (1) of the Internal Revenue Code.

44 **SECTION 7.** 71.24 (7) of the statutes is amended to read: *LA*

45 71.24 (7) EXTENSIONS. In the case of a corporation required to file a return,
 46 ~~when sufficient reason is shown, the department of revenue may on written request~~
 47 shall allow an automatic extension of ~~30 days~~ 7 months or until the original due date
 48 of the corporation's corresponding federal return, whichever is later, ~~if the~~
 49 ~~corporation has not received an extension on its federal return.~~ Any extension of time
 50 granted by law or by the internal revenue service for the filing of corresponding

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51 federal returns shall extend the time for filing under this subchapter to 30 days after
 52 the federal due date if ~~a copy of any extension requested of the internal revenue~~
 53 ~~service is filed with~~ the corporation reports the extension in the manner specified by
 54 the department on the return. ~~Termination of an automatic extension by the internal~~
 55 ~~revenue service, or its refusal to grant such automatic extension, shall similarly~~
 56 ~~require that any returns due under this subchapter are due on or before 30 days after~~
 57 ~~the date for termination fixed by the internal revenue service.~~ Except for payments
 58 of estimated taxes, income or franchise taxes payable upon the filing of the tax return
 59 shall not become delinquent during such extension period, but shall be subject to
 60 interest at the rate of 12% per year during such period.

History: 1987 a. 312; 1987 a. 411 ss. 91, 116; 1989 a. 31; 1991 a. 39; 1993 a. 199; 1995 a. 428; 1997 a. 27.

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61 **SECTION 8.** 71.26 (2) (b) 20. of the statutes is created to read:
 62 71.26 (2) (b) 20. For taxable years that begin after December 31, 2006, for a
 63 corporation, conduit, or common law trust which qualifies as a regulated investment
 64 company, real estate mortgage investment conduit, real estate investment trust, or
 65 financial asset securitization investment trust under the Internal Revenue Code as
 66 amended to December 31, 2006, excluding sections 103, 104, and 110 of P.L. 102-227,
 67 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections
 68 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and
 69 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of
 70 P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of
 71 P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of
 72 P.L. 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
 73 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,

74 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
75 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
76 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of P.L.
77 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as indirectly
78 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
79 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
80 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
81 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
82 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.
83 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
84 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
85 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
86 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
87 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
88 excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
89 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
90 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
91 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403
92 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337,
93 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.
94 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
95 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
96 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
97 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
98 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,

99 209, 503, 512, and 513 of P.L. 109-222, and P.L. 109-280, excluding sections 811 and
100 844 of P.L. 109-280, "net income" means the federal regulated investment company
101 taxable income, federal real estate mortgage investment conduit taxable income,
102 federal real estate investment trust or financial asset securitization investment
103 trust taxable income of the corporation, conduit, or trust as determined under the
104 Internal Revenue Code as amended to December 31, 2006, excluding sections 103,
105 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
106 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
107 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
108 P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,
109 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
110 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 201, 211, 242, 244, 336, 337,
111 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310,
112 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of
113 P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to
114 section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
115 207, 209, 503, 512, and 513 of P.L. 109-222, sections 811 and 844 of P.L. 109-280, and
116 P.L. 109-432, and as indirectly affected in the provisions applicable to this
117 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
118 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
119 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
120 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
121 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
122 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
123 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.

124 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
 125 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
 126 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.
 127 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
 128 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
 129 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
 130 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
 131 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
 132 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
 133 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
 134 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
 135 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
 136 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
 137 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
 138 109-222, and P.L. 109-280, except that property that, under s. 71.02 (1) (c) 8. to 11.,
 139 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the
 140 Internal Revenue Code as amended to December 31, 1980, shall continue to be
 141 depreciated under the Internal Revenue Code as amended to December 31, 1980,
 142 and except that the appropriate amount shall be added or subtracted to reflect
 143 differences between the depreciation or adjusted basis for federal income tax
 144 purposes and the depreciation or adjusted basis under this chapter of any property
 145 disposed of during the taxable year. The Internal Revenue Code as amended to
 146 December 31, 2006, excluding sections 103, 104, and 110 of P.L. 102-227, sections
 147 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
 148 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.

excluding sections 811 and 844 of
P.L. 109-280

149 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.
150 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
151 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
152 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
153 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
154 1329, 1348, ^{and} 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
155 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
156 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of P.L.
157 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as indirectly
158 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
159 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
160 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
161 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
162 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.
163 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
164 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
165 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
166 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
167 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
168 excluding sections 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
169 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
170 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
171 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403
172 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337,
173 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.

174 109-58, ^{and} excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
 175 1329, 1348, 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59,
 176 P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding sections
 177 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405
 178 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503,
 179 512, and 513 of P.L. 109-222, and P.L. 109-280, applies for Wisconsin purposes at the
 180 same time as for federal purposes. Amendments to the Internal Revenue Code
 181 enacted after December 31, 2006, do not apply to this subdivision with respect to
 182 taxable years that begin after December 31, 2006.

excluding sections 811 and 844 of P.L. 109-280.

183 **SECTION 9.** 71.26 (3) (s) of the statutes is amended to read:

184 71.26 (3) (s) Sections 951 to 964 (relating to controlled foreign corporations) are
 185 excluded, except that for taxable years beginning on or after January 1, 2006,
 186 sections 951 to 965 (relating to controlled foreign corporations) are excluded.

History: 1987 a. 312; 1987 a. 411 ss. 22, 124 to 129; 1989 a. 31, 336; 1991 a. 37, 39, 221, 269; 1993 a. 16, 112, 246, 263, 399, 437, 491; 1995 a. 27, 56, 351, 371, 380, 428; 1997 a. 27, 37, 184, 237; 1999 a. 9, 65; 1999 a. 150 s. 672; 1999 a. 167, 194; 2001 a. 16, 38, 106, 109; 2003 a. 33, 85, 99, 135, 255, 326; 2005 a. 25, 74, 335, 361, 362, 479, 483; s. 13.93 (2) (c).

Insert 99 - 12

and s

187 **SECTION 10.** 71.34 (1g) (t) of the statutes is created to read:

188 71.34 (1g) (t) "Internal Revenue Code" for tax-option corporations, for taxable
 189 years that begin after December 31, 2006, means the federal Internal Revenue Code
 190 as amended to December 31, 2006, excluding sections 103, 104, and 110 of P.L.
 191 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
 192 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
 193 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
 194 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and
 195 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403

196 (a) of P.L. 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910
197 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326,
198 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301
199 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403
200 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of
201 P.L. 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as
202 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
203 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
204 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
205 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
206 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
207 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
208 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
209 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
210 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
211 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections
212 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
213 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
214 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
215 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
216 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
217 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
218 108-311, P.L. 108-357, excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847,
219 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58,
220 excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,

excluding sections 811 and 844 of P.L. 109-280,

221 and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L.
222 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101,
223 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of
224 P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512,
225 and 513 of P.L. 109-222, and P.L. 109-280, except that section 1366 (f) (relating to
226 pass-through of items to shareholders) is modified by substituting the tax under s.
227 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies
228 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
229 federal Internal Revenue Code enacted after December 31, 2006, do not apply to this
230 paragraph with respect to taxable years beginning after December 31, 2006.

231 **SECTION 11.** 71.34 (1m) of the statutes is renumbered 71.34 (1m) (a).

232 **SECTION 12.** 71.34 (1m) (b) of the statutes is created to read:

233 71.34 (1m) (b) Notwithstanding sub. (1g), section 101 of P.L. 109-222, related
234 to extending the increased expense deduction under section 179 of the Internal
235 Revenue Code, applies to property used in farming that is acquired and placed in
236 service in taxable years beginning on or after January 1, 2008, and used by a person
237 who is actively engaged in farming. For purposes of this paragraph, "actively
238 engaged in farming" has the meaning given in 7 CFR 1400.201, and "farming" has
239 the meaning given in section 464 (e) (1) of the Internal Revenue Code.

Insert 114 - 14

240 **SECTION 13.** 71.42 (2) (s) of the statutes is created to read:

241 71.42 (2) (s) For taxable years that begin after December 31, 2006, "Internal
242 Revenue Code" means the federal Internal Revenue Code as amended to
243 December 31, 2006, excluding sections 103, 104, and 110 of P.L. 102-227, sections

fix quotation marks

244 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
245 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L.
246 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L.
247 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
248 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
249 108-311, sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
250 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
251 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
252 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
253 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 209, 503, 512, and 513 of P.L.
254 109-222, sections 811 and 844 of P.L. 109-280, and P.L. 109-432, and as indirectly
255 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
256 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
257 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
258 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
259 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
260 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
261 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
262 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
263 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
264 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.
265 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
266 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
267 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
268 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,

excluding sections 811 and 844 of P.L. 109-280,

269 excluding sections 101, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
 270 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
 271 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
 272 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
 273 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
 274 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
 275 109-151, P.L. 109-222, excluding sections 101, 207, 209, 503, 512, and 513 of P.L.
 276 109-222, and P.L. 109-280, except that "Internal Revenue Code" does not include
 277 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
 278 applies for Wisconsin purposes at the same time as for federal purposes.
 279 Amendments to the federal Internal Revenue Code enacted after December 31, 2006,
 280 do not apply to this paragraph with respect to taxable years beginning after
 281 December 31, 2006.

SECTION 14. 71.44 (3) of the statutes is amended to read:

283 71.44 (3) EXTENSIONS. In the case of a corporation required to file a return,
 284 ~~when sufficient reason is shown, the department of revenue may on written request~~
 285 shall allow an automatic extension of 30 days 7 months or until the original due date
 286 of the corporation's corresponding federal return, whichever is later, ~~if the~~
 287 ~~corporation has not received an extension on its federal return.~~ Any extension of time
 288 granted by law or by the internal revenue service for the filing of corresponding
 289 federal returns shall extend the time for filing under this subchapter to 30 days after
 290 the federal due date if ~~a copy of any extension requested of the internal revenue~~
 291 service is filed with the corporation reports the extension in the manner specified by
 292 the department on the return. ~~Termination of an automatic extension by the internal~~
 293 ~~revenue service, or its refusal to grant such automatic extension, shall similarly~~

294 require that any returns due under this subchapter are due on or before 30 days after
295 the date for termination fixed by the internal revenue service. Except for payments
296 of estimated taxes, income or franchise taxes payable upon the filing of the tax return
297 shall not become delinquent during such extension period, but shall be subject to
298 interest at the rate of 12% per year during such period.

History: 1987 a. 312, 411; 1989 a. 31; 1991 a. 39; 1993 a. 199; 1995 a. 428; 1997 a. 27.

299 **SECTION 15.** 71.738 (1d) of the statutes is repealed. x

300 **SECTION 16.** 71.738 (2d) of the statutes is repealed. x

301 **SECTION 17.** 71.765 of the statutes is repealed. x

302 **SECTION 18.** 71.80 (20) (title) of the statutes is amended to read:

303 71.80 (20) (title) ~~MAGNETIC MEDIA~~ ELECTRONIC FILING. ✓

History: 1987 a. 312; 1987 a. 411 ss. 70, 189 to 192; 1989 a. 31; 1991 a. 39, 301; 1993 a. 205; 1995 a. 27, 404, 418; 1997 a. 27, 39, 291; 2001 a. 44, 102; 2003 a. 33; 2005 a. 49.

304 **SECTION 19.** 71.80 (20) of the statutes is amended to read:

305 71.80 (20) If the internal revenue service requires a person to file information
306 returns or wage statements ~~on magnetic media or in other machine-readable form~~
307 electronically for federal income tax purposes, the person shall also file the
308 comparable state information returns or wage statements ~~on magnetic media or in~~
309 ~~other machine-readable form~~ electronically with the department of revenue for
310 income or franchise tax purposes. ✓

History: 1987 a. 312; 1987 a. 411 ss. 70, 189 to 192; 1989 a. 31; 1991 a. 39, 301; 1993 a. 205; 1995 a. 27, 404, 418; 1997 a. 27, 39, 291; 2001 a. 44, 102; 2003 a. 33; 2005 a. 49.

Insert 4-11 (to insert 17-13)

Section #. 71.01 (7r) (a) of the statutes is amended to read:

71.01 (7r) (a) Notwithstanding sub. (6), and except as provided in ~~par.~~ ^{parts.} (b), for purposes of computing amortization or depreciation, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2000, except that property that, under s. 71.02 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980.

1987 a. 312; 1987 a. 411 ss. 6 to 8, 26, 27, 31; 1989 a. 31, 100, 336; 1991 a. 39, 269; 1993 a. 16, 112, 437; 1995 a. 27, 380, 428; 1997 a. 27, 37, 237; 1999 a. 9, 194; 2001 a. 109; 2003 a. 33; 2005 a. 25, 49, 362. 1987 a. 312; 1987 a. 411 ss. 6 to 8, 26, 27, 31; 1989 a. 31, 100, 336; 1991 a. 39, 269; 1993 a. 16, 112, 437; 1995 a. 27, 380, 428; 1997 a. 27, 37, 237; 1999 a. 9, 194; 2001 a. 109; 2003 a. 33; 2005 a. 25, 49, 362.