2007 ASSEMBLY BILL 64

February 13, 2007 – Introduced by Representatives WIECKERT, ZEPNICK, VOS, CULLEN, HAHN, BOYLE, KLEEFISCH, HEBL, OWENS, A. OTT, JESKEWITZ, MUSER and BERCEAU, cosponsored by Senators RISSER, WIRCH, HANSEN and SCHULTZ. Referred to Committee on Elections and Constitutional Law.

AN ACT to create 71.07 (6f) and 71.10 (4) (cf) of the statutes; relating to: creating a nonrefundable individual income tax credit for contributions to candidates for elective public office.

Analysis by the Legislative Reference Bureau

This bill creates a nonrefundable individual income tax credit for any lawful amount contributed by an individual who is a candidate in this state for elective public office. The credit is calculated by multiplying the amount of the contribution by the claimant’s marginal tax rate. The maximum annual political contribution on which the credit may be calculated is $100. Because the credit is nonrefundable, it may be claimed only up to the amount of a claimant’s income tax liability. For claimants who are nonresidents or part-year residents of Wisconsin, the credit that may be claimed is prorated based on the ratio of the claimant’s Wisconsin adjusted gross income (AGI) to federal AGI.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 71.07 (6f) of the statutes is created to read:
71.07 (6f) Political campaign contribution tax credit. (a) Definitions. In this subsection:

1. “Claimant” means an individual who claims a credit under this subsection for a political contribution.

2. “Political contribution” means any lawful amount that an individual contributes, in the year to which the claim relates, to an individual who is a candidate in this state for elective public office.

(b) Filing claims. Subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to the amount of those taxes, the amount of the claimant’s political contribution, multiplied by the claimant’s marginal tax rate.

(c) Limitations. 1. No credit may be allowed under this subsection unless it is claimed within the time period under s. 71.75 (2).

2. A claimant who is a nonresident or part-year resident of this state and who is a single person or a married person filing a separate return shall multiply the credit for which the claimant is eligible under par. (b) by a fraction the numerator of which is the claimant’s Wisconsin adjusted gross income and the denominator of which is the claimant’s federal adjusted gross income. If a claimant is married and files a joint return, and if the claimant or the claimant’s spouse, or both, are nonresidents or part-year residents of this state, the claimant shall multiply the credit for which the claimant is eligible under par. (b) by a fraction the numerator of which is the couple’s joint Wisconsin adjusted gross income and the denominator of which is the couple’s joint federal adjusted gross income.

3. The maximum political contribution for which an individual may claim a credit under this subsection, each year, is $100.
4. Both spouses of a married couple may claim the credit under this subsection.

(d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit under that subsection, applies to the credit under this subsection.

**SECTION 2.** 71.10 (4) (cf) of the statutes is created to read:

71.10 (4) (cf) The political campaign contribution tax credit under s. 71.07 (6f).

**SECTION 3. Initial applicability.**

(1) This act first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 this act first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.