



2009 SENATE BILL 164

April 9, 2009 – Introduced by Senators DARLING, LEIBHAM, HOPPER, SCHULTZ, A. LASEE and PLALE, cosponsored by Representatives KNODL, KERKMAN, GUNDRUM, BIES, LOTHIAN, BROOKS, MURTHA, KAUFERT, SPANBAUER, GUNDERSON, HONADEL and VAN ROY. Referred to Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.

1 **AN ACT** *to amend* 71.07 (9) (b) 1. and 71.07 (9) (b) 5.; and *to create* 71.07 (9) (b)
2 6. of the statutes; **relating to:** increasing the maximum claim under the school
3 property tax credit for older claimants.

Analysis by the Legislative Reference Bureau

Under current law, the school property tax rent credit may be claimed by an individual for property taxes paid on the claimant's principal dwelling, or rent constituting property taxes paid on the claimant's principal dwelling, during the taxable year for which the credit is claimed. The credit, which may be claimed up to the amount of the claimant's tax liability, is 12 percent of the first \$2,500 of property taxes, or rent constituting property taxes (\$300), paid or 12 percent of the first \$1,250 of property taxes, or rent constituting property taxes (\$150), paid by a married person filing separately.

For a claimant who reaches the age of 65 before the close of the taxable year to which his or her claim relates, this bill increases the maximum credit which may be claimed to 12 percent of the first \$5,000 of property taxes, or rent constituting property taxes (\$600), paid or 12 percent of the first \$2,500 of property taxes, or rent constituting property taxes (\$300), paid by a married person filing separately. The bill first applies to taxable years beginning after December 31, 2008.

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For further information see the *state and local* 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:

1 **SECTION 1.** 71.07 (9) (b) 1. of the statutes is amended to read:

2 71.07 (9) (b) 1. Subject to the limitations under this subsection and except as
3 provided in subds. 2., 4. ~~and~~ 5., and 6., a claimant may claim as a credit against, but
4 not to exceed the amount of, taxes imposed under s. 71.02, ~~10%~~ 10 percent of the first
5 \$2,000 of property taxes or rent constituting property taxes, or ~~10%~~ 10 percent of the
6 first \$1,000 of property taxes or rent constituting property taxes of a married person
7 filing separately.

8 **SECTION 2.** 71.07 (9) (b) 5. of the statutes is amended to read:

9 71.07 (9) (b) 5. For taxable years beginning after December 31, 1999, subject
10 to the limitations under this subsection, a claimant may claim as a credit against,
11 but not to exceed the amount of, taxes imposed under s. 71.02, ~~12%~~ 12 percent of the
12 first \$2,500 of property taxes or rent constituting property taxes, or ~~12%~~ 12 percent
13 of the first \$1,250 of property taxes or rent constituting property taxes of a married
14 person filing separately.

15 **SECTION 3.** 71.07 (9) (b) 6. of the statutes is created to read:

16 71.07 (9) (b) 6. For taxable years beginning after December 31, 2008, subject
17 to the limitations under this subsection, a claimant who does not claim the credit
18 under subd. 5. and who has reached the age of 65 before the close of the taxable year
19 to which his or her tax return relates may claim as a credit against, but not to exceed
20 the amount of, taxes imposed under s. 71.02, 12 percent of the first \$5,000 of property
21 taxes or rent constituting property taxes, or 12 percent of the first \$2,500 of property

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1 taxes or rent constituting property taxes of a married person filing separately if that
2 person has reached the age of 65 before the close of the taxable year to which his or
3 her tax return relates.

4 (END)