

**2011 DRAFTING REQUEST**

**Senate Amendment (SA-SB463)**

Received: 03/06/2012

Received By: jkreye

Wanted: Today

Companion to LRB:

For: Dave Hansen (608) 266-5670

By/Representing: jay

May Contact:

Drafter: jkreye

Subject: Tax, Business - credits

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Hansen@legis.wisconsin.gov

Carbon copy (CC:) to: joseph.kreye@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Angel and early stage seed investment credits; deductions for moving expenses

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 03/06/2012	mduchek 03/06/2012		_____			
/1			rschluet 03/06/2012	_____	sbasford 03/06/2012	sbasford 03/06/2012	

FE Sent For:

<END>

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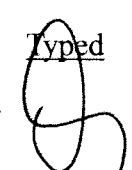

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**Instructions:**

See attached

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1?	jkreye	3/6/12		_____			
		11		_____			

FE Sent For: 

<END>

**Kreye, Joseph**

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**From:** Wadd, Jay  
**Sent:** Monday, March 05, 2012 7:21 PM  
**To:** Kreye, Joseph  
**Subject:** RE: Amendment Request

Thanks, Joe!

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**From:** Kreye, Joseph  
**Sent:** Monday, March 05, 2012 7:20 PM  
**To:** Wadd, Jay  
**Subject:** RE: Amendment Request

Will do.

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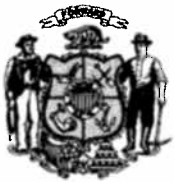
**From:** Wadd, Jay  
**Sent:** Mon 3/5/2012 5:02 PM  
**To:** Kreye, Joseph  
**Subject:** Amendment Request

Hi, Joe,

Would you please draft AB-392 as an amendment to SB-463 (which is up for a vote tomorrow)?

Thanks,

Jay



medajld PM not R

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**SENATE AMENDMENT,**  
**TO 2011 SENATE BILL 463**

Bh  
SA

*now*

*3-6-12*

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 4: after "programs" insert "*Insert A*".
- 3 **2.** Page 2, line 1: before that line insert: *Insert B*
- 4 **3.** Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1d".
- 5 **4.** Page 2, line 1: after that line insert: *Insert C*
- 6 (END)



## 2011 ASSEMBLY BILL 392

November 23, 2011 - Introduced by Representatives BEWLEY, MILROY, SINICKI, RINGHAND, JORGENSEN, BERNARD SCHABER, BERCEAU, HULSEY, MASON, PASCH, POPE-ROBERTS and C. TAYLOR, cosponsored by Senators HANSEN and TAYLOR. Referred to Committee on Jobs, Economy and Small Business.

*Insert A*

1 AN ACT to create 71.05 (6) (a) 25., 71.21 (6), 71.26 (3) (e) 4., 71.34 (1k) (m) and  
2 71.45 (2) (a) 19. of the statutes; ~~relating to~~ *and* eliminating deductions for moving  
3 expenses for businesses that move out of the state.

### *Analysis by the Legislative Reference Bureau*

Under current law, a business may deduct from its income or franchise tax liability all expenses that the business paid to move its operations from one location to another, including expenses paid to relocate outside of the state. Under this bill, a business may not deduct expenses paid to move outside of the state.

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

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

4 SECTION 1. 71.05 (6) (a) 25. of the statutes is created to read:  
5 71.05 (6) (a) 25. The amount deducted under section 162 of the Internal  
6 Revenue Code as expenses paid or incurred during the taxable year to move the  
7 taxpayer's business operation, in whole or in part, to a location outside of the state, <sup>16</sup>

*For taxable years beginning after December 31, 2011,*

*Insert C*

**ASSEMBLY BILL 392**

*1P*  
"SECTION 2. 71.21 (6) of the statutes is created to read:

*taxable years beginning after December 31, 2011*

1  
2 71.21 (6) A deduction under section 162 of the Internal Revenue Code for  
3 expenses paid or incurred during the taxable year to move the taxpayer's business  
4 operation, in whole or in part, to a location outside of the state is not allowed.

*1H3*  
SECTION 3. 71.26 (3) (e) 4. of the statutes is created to read:

5  
6 71.26 (3) (e) 4. <sup>so</sup> So that expenses paid or incurred during the taxable year to  
7 move the taxpayer's business operation, in whole or in part, to a location outside of  
8 the state may not be deducted as provided under section 162 of the Internal Revenue  
9 Code.

*1J3*  
SECTION 4. 71.34 (1k) (m) of the statutes is created to read:

10  
11 71.34 (1k) (m) <sup>an</sup> An addition shall be made for any amount deducted under  
12 section 162 of the Internal Revenue Code as expenses paid or incurred during the  
13 taxable year to move the taxpayer's business operation, in whole or in part, to a  
14 location outside of the state.

*1L3*  
SECTION 5. 71.45 (2) (a) 19. of the statutes is created to read:

15  
16 71.45 (2) (a) 19. <sup>by</sup> By adding to federal taxable income any amount deducted  
17 under section 162 of the Internal Revenue Code as expenses paid or incurred during  
18 the taxable year to move the taxpayer's business operation, in whole or in part, to a  
19 location outside of the state. *1P*

**SECTION 6. Initial applicability.**

(1) This act first applies to taxable years beginning on January 1, 2011.