



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2011 SENATE BILL 260**

January 17, 2012 – Offered by Senator HARSDORF.

1 **AN ACT** *to amend* 71.05 (6) (a) 15., 71.07 (3p) (c) 5., 71.28 (3p) (c) 5. and 71.47 (3p)
2 (c) 5. of the statutes; **relating to:** allowing members of dairy cooperatives to
3 claim the dairy manufacturing facility investment credit in the next taxable
4 year.

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

5 **SECTION 1.** 71.05 (6) (a) 15. of the statutes, as affected by 2011 Wisconsin Act
6 32, is amended to read:

7 71.05 **(6)** (a) 15. The Except as provided under s. 71.07 (3p) (c) 5., the amount
8 of the credits computed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr),
9 (2ds), (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3s), (3t), (3w), (5e), (5f),
10 (5h), (5i), (5j), (5k), (5n), (5r), (5rm), and (8r) and not passed through by a partnership,
11 limited liability company, or tax-option corporation that has added that amount to

1 the partnership's, company's, or tax-option corporation's income under s. 71.21 (4)
2 or 71.34 (1k) (g).

3 **SECTION 2.** 71.07 (3p) (c) 5. of the statutes is amended to read:

4 71.07 **(3p)** (c) 5. A claimant who is a member of a dairy cooperative may claim
5 the credit in the year after the year in which the dairy manufacturing modernization
6 or expansion occurs, based on amounts described under par. (b) that are paid by the
7 dairy cooperative, for taxable years beginning after December 31, 2008, and before
8 January 1, ~~2017~~ 2018. The amount of the credits computed and not passed through
9 by a partnership, limited liability company, or tax-option corporation that has added
10 that amount to the partnership's, company's, or tax-option corporation's income
11 under s. 71.21 (4) or 71.34 (1k) (g) shall be added to a claimant's income in the year
12 in which the cooperative member is allowed to claim the credit.

13 **SECTION 3.** 71.28 (3p) (c) 5. of the statutes is amended to read:

14 71.28 **(3p)** (c) 5. A claimant who is a member of a dairy cooperative may claim
15 the credit in the year after the year in which the dairy manufacturing modernization
16 or expansion occurs, based on amounts described under par. (b) that are paid by the
17 dairy cooperative, for taxable years beginning after December 31, 2008, and before
18 January 1, ~~2017~~ 2018. The amount of the credits computed and not passed through
19 by a partnership, limited liability company, or tax-option corporation that has added
20 that amount to the partnership's, company's, or tax-option corporation's income
21 under s. 71.21 (4) or 71.34 (1k) (g) shall be added to a claimant's income in the year
22 in which the cooperative member is allowed to claim the credit.

23 **SECTION 4.** 71.47 (3p) (c) 5. of the statutes is amended to read:

24 71.47 **(3p)** (c) 5. A claimant who is a member of a dairy cooperative may claim
25 the credit in the year after the year in which the dairy manufacturing modernization

1 or expansion occurs, based on amounts described under par. (b) that are paid by the
2 dairy cooperative, for taxable years beginning after December 31, 2008, and before
3 January 1, ~~2017~~ 2018. The amount of the credits computed and not passed through
4 by a partnership, limited liability company, or tax-option corporation that has added
5 that amount to the partnership's, company's, or tax-option corporation's income
6 under s. 71.21 (4) or 71.34 (1k) (g) shall be added to a claimant's income in the year
7 in which the cooperative member is allowed to claim the credit.

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(END)