AN ACT to amend 71.07 (3q) (d) 2., 71.28 (3q) (d) 2. and 71.47 (3q) (d) 2. of the statutes; relating to: processing refunds for the jobs tax credit.

Analysis by the Legislative Reference Bureau

Under current law, an employer may claim tax credits based on the wages paid to new employees and on the costs incurred by the employer for certain training activities. Under current law, if the amount of the credits exceeds the employer’s tax liability, the state issues a refund. The credits apply to taxable years beginning on or after January 1, 2010, but if any employer is owed a refund, the employer will not receive it until after December 31, 2011. Under this bill, an employer may claim the credits for taxable years beginning on or after January 1, 2010, and refunds will be paid beginning on July 1, 2011.

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 (3q) (d) 2. of the statutes is amended to read:

71.07 (3q) (d) 2. If the allowable amount of the claim under par. (b) exceeds the
tax otherwise due under ss. 71.02 and 71.08, the amount of the claim not used to
offset the tax due shall be certified by the department of revenue to the department
of administration for payment by check, share draft, or other draft drawn from the
appropriation account under s. 20.835 (2) (bb), except that the amounts certified
under this subdivision for taxable years beginning after December 31, 2009, and
before January 1, 2012 June 30, 2011, shall be paid in taxable years beginning after
December 31 on or after July 1, 2011.

SECTION 2. 71.28 (3q) (d) 2. of the statutes is amended to read:

71.28 (3q) (d) 2. If the allowable amount of the claim under par. (b) exceeds the
tax otherwise due under s. 71.23, the amount of the claim not used to offset the tax
due shall be certified by the department of revenue to the department of
administration for payment by check, share draft, or other draft drawn from the
appropriation account under s. 20.835 (2) (bb), except that the amounts certified
under this subdivision for taxable years beginning after December 31, 2009, and
before January 1, 2012 June 30, 2011, shall be paid in taxable years beginning after
December 31 on or after July 1, 2011.

SECTION 3. 71.47 (3q) (d) 2. of the statutes is amended to read:

71.47 (3q) (d) 2. If the allowable amount of the claim under par. (b) exceeds the
tax otherwise due under s. 71.43, the amount of the claim not used to offset the tax
due shall be certified by the department of revenue to the department of
administration for payment by check, share draft, or other draft drawn from the
appropriation account under s. 20.835 (2) (bb), except that the amounts certified
under this subdivision for taxable years beginning after December 31, 2009, and
before January 1, 2012 June 30, 2011, shall be paid in taxable years beginning after
December 31 on or after July 1, 2011.