



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa2124/2
JK:wlj

**SENATE AMENDMENT 2,
TO SENATE BILL 404**

February 11, 2016 – Offered by JOINT COMMITTEE ON FINANCE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 2: after that line insert:

3 “**SECTION 1b.** 71.07 (5b) (b) 1. of the statutes is renumbered 71.07 (5b) (b) and
4 amended to read:

5 71.07 (**5b**) (b) For taxable years beginning after December 31, 2004, subject to
6 the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009
7 stats., and ~~except as provided in subd. 2.,~~ a claimant may claim as a credit against
8 the tax imposed under ss. 71.02 and 71.08, up to the amount of those taxes, 25 percent
9 of the claimant’s investment paid to a fund manager that the fund manager invests
10 in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

11 **SECTION 1c.** 71.07 (5b) (b) 2. of the statutes is repealed.

12 **SECTION 1d.** 71.07 (5b) (c) of the statutes is amended to read:

1 71.07 **(5b)** (c) *Limitations.* Partnerships, limited liability companies, and
2 tax–option corporations may not claim the credit under this subsection, but the
3 eligibility for, and the amount of, the credit are based on their payment of amounts
4 under par. (b). A partnership, limited liability company, or tax–option corporation
5 shall compute the amount of credit that each of its partners, members, or
6 shareholders may claim and shall provide that information to each of them.
7 Partners, members of limited liability companies, and shareholders of tax–option
8 corporations may claim the credit in proportion to their ownership interest ~~or as~~
9 ~~specially allocated in their organizational documents.~~

10 **SECTION 1e.** 71.28 (5b) (b) 1. of the statutes is renumbered 71.28 (5b) (b) and
11 amended to read:

12 71.28 **(5b)** (b) For taxable years beginning after December 31, 2004, subject to
13 the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009
14 stats., ~~and except as provided in subd. 2.,~~ a claimant may claim as a credit against
15 the tax imposed under s. 71.23, up to the amount of those taxes, 25 percent of the
16 claimant’s investment paid to a fund manager that the fund manager invests in a
17 business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

18 **SECTION 1f.** 71.28 (5b) (b) 2. of the statutes is repealed.

19 **SECTION 1g.** 71.28 (5b) (c) of the statutes is amended to read:

20 71.28 **(5b)** (c) *Limitations.* Partnerships, limited liability companies, and
21 tax–option corporations may not claim the credit under this subsection, but the
22 eligibility for, and the amount of, the credit are based on their payment of amounts
23 under par. (b). A partnership, limited liability company, or tax–option corporation
24 shall compute the amount of credit that each of its partners, members, or
25 shareholders may claim and shall provide that information to each of them.

1 Partners, members of limited liability companies, and shareholders of tax–option
2 corporations may claim the credit in proportion to their ownership interest ~~or as~~
3 ~~pecially allocated in their organizational documents.~~

4 **SECTION 1h.** 71.47 (5b) (b) 1. of the statutes is renumbered 71.47 (5b) (b) and
5 amended to read:

6 71.47 **(5b)** (b) For taxable years beginning after December 31, 2004, subject to
7 the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009
8 stats., ~~and except as provided in subd. 2.,~~ a claimant may claim as a credit against
9 the tax imposed under s. 71.43, up to the amount of those taxes, 25 percent of the
10 claimant’s investment paid to a fund manager that the fund manager invests in a
11 business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

12 **SECTION 1i.** 71.47 (5b) (b) 2. of the statutes is repealed.

13 **SECTION 1j.** 71.47 (5b) (c) of the statutes is amended to read:

14 71.47 **(5b)** (c) *Limitations.* Partnerships, limited liability companies, and
15 tax–option corporations may not claim the credit under this subsection, but the
16 eligibility for, and the amount of, the credit are based on their payment of amounts
17 under par. (b). A partnership, limited liability company, or tax–option corporation
18 shall compute the amount of credit that each of its partners, members, or
19 shareholders may claim and shall provide that information to each of them.
20 Partners, members of limited liability companies, and shareholders of tax–option
21 corporations may claim the credit in proportion to their ownership interest ~~or as~~
22 ~~pecially allocated in their organizational documents.”.~~

23 **2.** Page 2, line 4: delete “This act” and substitute “The treatment of section
24 16.295 (10) of the statutes”.

