

1 **SECTION 293.** 93.07 (20) (b) of the statutes is amended to read:

2 × 93.07 (20) (b) Annually, no later than October 1, to submit to the joint legislative
3 audit committee and to the appropriate standing committees of the legislature under
4 s. 13.172 (3) a comprehensive report assessing economic development programs, as
5 defined in sub. (18) (a), administered by the department. The report shall include
6 all of the information required under s. ~~238.07 (2)~~ ^{555.07 (2)}. The department shall
7 collaborate with the ~~Wisconsin Economic Development Corporation~~ ^{plan} department of
8 economic opportunity to make readily accessible to the public on an Internet-based
9 system the information required under this subsection.

History: 1971 c. 125; 1975 c. 189, 323, 394; 1979 c. 34, 129, 221, 361; 1981 c. 20, 291; 1981 c. 391 s. 210; 1983 a. 410; 1985 a. 29; 1987 a. 27, 186; 1987 a. 399 ss. 307p, 443yx; 1987 a. 403; 1989 a. 56; 1991 a. 39, 269, 309; 1993 a. 216; 1995 a. 27 ss. 3554 to 3556, 9116 (5), 9145 (1); 1995 a. 79, 450; 1997 a. 27, 192; 1999 a. 107; 2001 a. 56, 107, 109; 2005 a. 166; 2007 a. 125; 2009 a. 108, 401; 2011 a. 32, 229; 2015 a. 55.

10 **SECTION 294.** 93.33 (5) (intro.) of the statutes is amended to read:

11 × 93.33 (5) (intro.) ANNUAL REPORT. In September of each year, the council shall
12 submit a report to the appropriate standing committees of the legislature as
13 determined by the speaker of the assembly and the president of the senate, under s.
14 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,
15 the state superintendent of public instruction, the secretary of workforce
16 development, the secretary of natural resources, the ~~chief executive officer~~ secretary
17 of the ~~Wisconsin Economic Development Corporation~~ economic opportunity, the
18 president of the University of Wisconsin System, the director of the technical college
19 system, the chancellor of the University of Wisconsin-Extension, the chancellor of
20 the University of Wisconsin-Madison, the chancellor of the University of
21 Wisconsin-Platteville, the chancellor of the University of Wisconsin-River Falls,
22 and the chancellor of the University of Wisconsin-Stevens Point. The council shall
23 include all of the following in the report:

History: 2007 a. 223; 2011 a. 32.

1 **SECTION 295.** 93.42 (5) of the statutes is amended to read:

2 × 93.42 (5) Cooperating with the ~~Wisconsin Economic Development Corporation~~
3 department of economic opportunity in promoting the state's products through the
4 state's foreign trade offices.

History: 1985 a. 58; 1995 a. 27 ss. 3566, 3566a, 9116 (5); 2011 a. 32; 2013 a. 166.

5 **SECTION 296.** 100.45 (1) (dm) of the statutes is amended to read:

6 × 100.45 (1) (dm) “State agency” means any office, department, agency,
7 institution of higher education, association, society, or other body in state
8 government created or authorized to be created by the constitution or any law which
9 is entitled to expend moneys appropriated by law, including the legislature and the
10 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
11 Center Sports and Entertainment Corporation, the University of Wisconsin
12 Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities
13 Authority, the Wisconsin Aerospace Authority, the ~~Wisconsin Economic~~
14 ~~Development Corporation~~, and the Fox River Navigational System Authority.

History: 1989 a. 284; 1991 a. 97; 1993 a. 243; 1997 a. 27, 165; 1999 a. 31; 2001 a. 16; 2005 a. 335; 2009 a. 28; 2011 a. 7, 10, 187; 2013 a. 166 s. 77; 2013 a. 312.

15 **SECTION 297.** 106.16 (3) of the statutes is amended to read:

16 × 106.16 (3) A state agency or an authority under ch. 231 or 234 shall notify the
17 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity
18 if it makes a loan or grant to a company.

History: 1985 a. 285, 332; 1987 a. 27, 399; 1991 a. 39; 1995 a. 27 ss. 3716 and 9116 (5); Stats. 1995 s. 106.16; 1999 a. 9; 2011 a. 32.

19 **SECTION 298.** 106.27 (2m) of the statutes is amended to read:

20 × 106.27 (2m) CONSULTATION. The department shall consult with the technical
21 college system board and the ~~Wisconsin Economic Development Corporation~~
22 department of economic opportunity in implementing this section.

History: 2013 a. 9, 139.

23 **SECTION 299.** 114.31 (6) of the statutes is amended to read:

1 × 114.31 (6) TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar
2 as is reasonably possible, offer the engineering or other technical service of the
3 department, to any municipality desiring them in connection with the construction,
4 maintenance or operation or proposed construction, maintenance or operation of an
5 airport. The secretary may assess reasonable costs for services including services
6 performed while acting as agent for a municipality. Such assessment shall include
7 properly allocated administrative costs. Municipalities are authorized to cooperate
8 with the secretary in the development of aeronautics and aeronautical facilities in
9 this state. ~~The Wisconsin Economic Development Corporation and all~~ All agencies
10 are authorized and directed to make available such facilities and services, and to
11 cooperate as far as possible to promote the best interests of aeronautics of the state.

History: 1971 c. 125; 1973 c. 243 s. 82; 1977 c. 29 ss. 1063, 1654 (5); 1977 c. 273; 1979 c. 361 s. 112; 1981 c. 390 s. 252; 1983 a. 27; 1985 a. 29; 1987 a. 399; 1993 a. 492; 1995 a. 27 s. 9116 (5); 1999 a. 9; 2005 a. 335; 2011 a. 32.

12 **SECTION 300.** 196.49 (4) of the statutes is amended to read:

13 × 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)
14 for the construction of electric generating equipment and associated facilities unless
15 the commission determines that brownfields, as defined in s. ~~238.13~~ 555.13 (1) (a) or
16 s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

History: Sup. Ct. Order, 67 Wis. 2d 585, 775 (1975); 1977 c. 187; 1979 c. 110 s. 60 (9); 1983 a. 53; 1985 a. 60; 1993 a. 496; 1995 a. 227; 2003 a. 89; 2007 a. 227; 2011 a. 22, 32, 155; 2013 a. 125, 300.

17 **SECTION 301.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

18 × 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for
19 the facility that are contiguous or proximate, provided that at least one of the
20 proposed sites is a brownfield, as defined in s. ~~238.13~~ 555.13 (1) (a), or the site of a
21 former or existing large electric generating facility.

History: 1975 c. 68, 199; 1979 c. 221, 361; 1983 a. 53 s. 114; 1983 a. 192, 401; 1985 a. 182 s. 57; 1989 a. 31; 1993 a. 184; 1995 a. 27 ss. 9116 (5), 9126 (19); 1995 a. 227, 409; 1997 a. 27, 35, 204; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 33, 89; 2005 a. 24, 29; 2007 a. 20 s. 9121 (6) (a); 2009 a. 40, 378, 379; 2011 a. 32, 155; 2011 a. 260 s. 81; 2013 a. 1, 10, 125, 173.

22 **SECTION 302.** 196.491 (3) (d) 8. of the statutes is amended to read:

1 × 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
2 in s. ~~238.13~~ 555.13 (1) (a), are used to the extent practicable.

History: 1975 c. 68, 199; 1979 c. 221, 361; 1983 a. 53 s. 114; 1983 a. 192, 401; 1985 a. 182 s. 57; 1989 a. 31; 1993 a. 184; 1995 a. 27 ss. 9116 (5), 9126 (19); 1995 a. 227, 409; 1997 a. 27, 35, 204; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2003 a. 31, 89; 2005 a. 24, 29; 2007 a. 20 s. 9421 (6) (a); 2009 a. 40, 378, 379; 2011 a. 32, 155; 2011 a. 260 s. 81; 2013 a. 1, 10, ~~125~~, 173.

as affected by 2013 Wisconsin Act 20,

3

SECTION 303. 230.03 (3) of the statutes is amended to read:

4 × 230.03 (3) “Agency” means any board, commission, committee, council, or
5 department in state government or a unit thereof created by the constitution or
6 statutes if such board, commission, committee, council, department, unit, or the
7 head thereof, is authorized to appoint subordinate staff by the constitution or
8 statute, except the Board of Regents of the University of Wisconsin System, a
9 legislative or judicial board, commission, committee, council, department, or unit
10 thereof or an authority created under subch. II of ch. 114 or under ch. 231, 232, 233,
11 234, 237, ~~238~~, or 279. “Agency” does not mean any local unit of government or body
12 within one or more local units of government that is created by law or by action of
13 one or more local units of government.

History: 1971 c. 270; 1973 c. 333; 1977 c. 196 ss. 24, 100; 1977 c. 418; 1981 c. 20, 26; 1983 a. 27 ss. 1604, 2200 (15); 1983 a. 409, 453, 538; 1987 a. 32; 1989 a. 31; 1991 a. 101, 147; 1993 a. 16, 254; 1995 a. 27, 255; 1997 a. 27; 1999 a. 65, 87; 2001 a. 16, 103; 2003 a. 33 ss. 2385 to 2387s, 9160; 2005 a. 22, 74, 335, 393; 2007 a. 20, 97; 2009 a. 28; 2011 a. 7, 10, ~~32~~, 229; 2013 a. 20 ss. 1998u, 2365m, 9448; 2013 a. 165; 2013 a. 168 s. 21; 2015 a. 55.

14

SECTION 304. 230.81 (2) of the statutes is amended to read:

15 × 230.81 (2) Nothing in this section prohibits an employee from disclosing
16 information to an appropriate law enforcement agency, a state or federal district
17 attorney in whose jurisdiction the crime is alleged to have occurred, a state or federal
18 grand jury or a judge in a proceeding commenced under s. 968.26, or disclosing
19 information pursuant to any subpoena issued by any person authorized to issue
20 subpoenas under s. 885.01. Any such disclosure of information, or a report under
21 sub. (4), is a lawful disclosure under this section and is protected under s. 230.83.

22 **SECTION 305.** 230.81 (4) of the statutes is created to read:

1 ×230.81 (4) Any employee of the department of economic opportunity who is
2 aware that a fraud has been perpetrated against that department shall report or
3 cause that fraud to be reported to the department of justice or the appropriate district
4 attorney.

5 **SECTION 306.** 234.02 (1) of the statutes is amended to read:

6 ×234.02 (1) There is created a public body corporate and politic to be known as
7 the “Wisconsin Housing and Economic Development Authority.” The members of the
8 authority shall be the ~~chief executive officer of the Wisconsin Economic Development~~
9 ~~Corporation~~ secretary of economic opportunity or his or her designee and the
10 secretary of administration or his or her designee, and 6 public members nominated
11 by the governor, and with the advice and consent of the senate appointed, for
12 staggered 4-year terms commencing on the dates their predecessors’ terms expire.
13 In addition, one senator of each party and one representative to the assembly of each
14 party appointed as are the members of standing committees in their respective
15 houses shall serve as members of the authority. A member of the authority shall
16 receive no compensation for services but shall be reimbursed for necessary expenses,
17 including travel expenses, incurred in the discharge of duties. Subject to the bylaws
18 of the authority respecting resignations, each member shall hold office until a
19 successor has been appointed and has qualified. A certificate of appointment or
20 reappointment of any member shall be filed with the authority and the certificate
21 shall be conclusive evidence of the due and proper appointment.

History: 1971 c. 287; 1973 c. 12; 1975 c. 221, 224; 1977 c. 196 s. 131; 1977 c. 325, 418; 1979 c. 361 s. 112; 1981 c. 349, 355; 1983 a. 81 s. 11; 1983 a. 83
ss. 6, 20; 1987 a. 399; 1991 a. 39, 315; 1995 a. 27 s. 94(6) (5); 2001 a. 104; 2007 a. 1; 2011 a. 32.

22 **SECTION 307.** 234.032 (2) (intro.) of the statutes is amended to read:

1 × 234.032 (2) (intro.) The authority, in consultation with the ~~Wisconsin Economic~~
2 ~~Development Corporation~~ department of economic opportunity, shall do all of the
3 following for each economic development program administered by the authority:

4 ~~History: 2007 a. 125; 2011 a. 32.~~
4 **SECTION 308.** 234.08 (5) of the statutes is amended to read:

5 × 234.08 (5) This section does not supersede or impair the power of the ~~Wisconsin~~
6 ~~Economic Development Corporation~~ department of economic opportunity to carry
7 out its program responsibilities relating to economic development which are funded
8 by bonds or notes issued under this section.

9 ~~History: 1971 c. 287; 1981 c. 349; 1983 a. 81, 83; 1985 a. 29; 1993 a. 16; 1995 a. 27 s. 9116 (5); 2005 a. 487; 2009 a. 2; 2011 a. 32.~~
9 **SECTION 309.** 234.08 (6) of the statutes is amended to read:

10 × 234.08 (6) The authority may reimburse the ~~Wisconsin Economic Development~~
11 ~~Corporation~~ department of economic opportunity its operating costs to carry out its
12 program responsibilities relating to economic development which are funded by
13 bonds or notes issued under this section.

14 ~~History: 1971 c. 287; 1981 c. 349; 1983 a. 81, 83; 1985 a. 29; 1993 a. 16; 1995 a. 27 s. 9116 (5); 2005 a. 487; 2009 a. 2; 2011 a. 32.~~
14 **SECTION 310.** 234.255 (1) of the statutes is amended to read:

15 × 234.255 (1) The authority shall coordinate any economic development
16 assistance with the ~~Wisconsin Economic Development Corporation~~ department of
17 economic opportunity.

18 ~~History: 2007 a. 125; 2011 a. 32.~~
18 **SECTION 311.** 234.255 (2) of the statutes is amended to read:

19 × 234.255 (2) Annually, no later than October 1, the authority shall submit to the
20 joint legislative audit committee and to the appropriate standing committees of the
21 legislature under s. 13.172 (3) a comprehensive report assessing economic
22 development programs, as defined in s. 234.032 (1), administered by the authority.

23 The report shall include all of the information required under s. ~~238.07(2)~~ 555.07(2).
plan

1 The authority shall collaborate with the ~~Wisconsin Economic Development~~
2 ~~Corporation~~ department of economic opportunity to make readily accessible to the
3 public on an Internet-based system the information required under this section.

4 **History:** 2007 a. 125; 2011 a. 32.

SECTION 312. 234.84 (1) of the statutes is amended to read:

5 × 234.84 (1) DEFINITION. In this section, “~~corporation~~” “department” means the

6 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity.

7 **History:** 1995 a. 27 s. 9116 (5); 1995 a. 116; 2011 a. 32.

SECTION 313. 234.84 (3) (c) of the statutes is amended to read:

8 × 234.84 (3) (c) The interest rate on the loan, including any origination fees or

9 other charges, is approved by the ~~corporation~~ department.

10 **History:** 1995 a. 27 s. 9116 (5); 1995 a. 116; 2011 a. 32.

SECTION 314. 234.84 (4) (a) of the statutes is amended to read:

11 × 234.84 (4) (a) Subject to par. (b), the authority shall guarantee collection of a
12 percentage of the principal of, and all interest and any other amounts outstanding

13 on, any loan eligible for a guarantee under sub. (2). The ~~corporation~~ department
14 shall establish the percentage of the principal of an eligible loan that will be
15 guaranteed, using the procedures described in the agreement under s. 234.932 (3)

16 (a). The ~~corporation~~ department may establish a single percentage for all
17 guaranteed loans or establish different percentages for eligible loans on an
18 individual basis.

19 **History:** 1995 a. 27 s. 9116 (5); 1995 a. 116; 2011 a. 32.

SECTION 315. 234.84 (5) (a) of the statutes is amended to read:

20 × 234.84 (5) (a) The program under this section shall be administered by the
21 ~~corporation~~ department with the cooperation of the authority. The ~~corporation~~

22 department shall enter into a memorandum of understanding with the authority
23 setting forth the respective responsibilities of the ~~corporation~~ department and the

1 authority with regard to the administration of the program, including the functions
2 and responsibilities specified in s. 234.932. The memorandum of understanding
3 shall provide for reimbursement to the ~~corporation~~ department by the authority for
4 costs incurred by the ~~corporation~~ department in the administration of the program.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 2011 a. 32.

5 **SECTION 316.** 234.84 (5) (b) of the statutes is amended to read:

6 * 234.84 (5) (b) The ~~corporation~~ department may charge a premium, fee, or other
7 charge to a borrower of a guaranteed loan under this section for the administration
8 of the loan guarantee.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 2011 a. 32.

9 **SECTION 317.** 234.932 (3) (c) of the statutes is amended to read:

10 * 234.932 (3) (c) The ~~Wisconsin Economic Development Corporation~~ department
11 of economic opportunity may establish an eligibility criteria review panel, consisting
12 of experts in finance and in the subject area of the job training loan guarantee
13 program, to provide advice about lending requirements and issues related to the job
14 training loan guarantee program.

History: 1995 a. 27 s. 9116 (5); 1995 a. 116; 1997 a. 27; 2011 a. 32.

15 **SECTION 318.** Chapter 238 (title) of the statutes is repealed.

16 **SECTION 319.** Subchapter I (title) of chapter 238 [precedes 238.01] of the
17 statutes is renumbered Subchapter I (title) of chapter 555 [precedes 555.01].

18 **SECTION 320.** 238.01 (intro.) of the statutes is renumbered 555.01 (intro.).

19 **SECTION 321.** 238.01 (1) of the statutes is repealed.

20 **SECTION 322.** 238.01 (2) of the statutes is repealed.

21 **SECTION 323.** 238.01 (3) of the statutes is renumbered 555.01 (2).

22 **SECTION 324.** 238.02 of the statutes is repealed.
as affected by 2015 Wisconsin Act 55,

(+title) and (1) to (3)

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SECTION 325. 238.03 of the statutes^{are} is renumbered 555.03, and 555.03 (title),

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(1), (2) (intro.) and (c) and (3) (intro.), (a) and (b) (intro.), as renumbered, are amended

3

to read:

4

× **555.03** (title) **Duties of board the department.**

5

× (1) The ~~board~~ department shall develop and implement economic programs to

6

promote family-supporting jobs, to provide business support and expertise and

7

financial assistance to companies that are investing and creating jobs in Wisconsin,

8

and to support new business start-ups and business expansion and growth in

9

Wisconsin. The ~~board~~ department may also develop and implement any other

10

programs related to economic development in Wisconsin. The department shall

11

emphasize programs that encourage entrepreneurship, new business start-ups, and

12

woman-owned, disabled-veteran owned, and minority businesses.

13

× (2) (intro.) For each program developed and implemented by the ~~board~~

14

department, the ~~board~~ department shall do all of the following:

15

× (c) Require that each recipient of a grant or loan under the program submit a

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report to the ~~corporation~~ department. Each contract with a recipient of a grant or

17

loan under the program must specify the frequency and format of the report to be

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submitted to the ~~corporation~~ department and the performance measures to be

19

included in the report.

20

× (3) (intro.) The ~~board~~ department shall require for each program developed and

21

implemented by the ~~board~~ department all of the following:

22

× (a) That each recipient of a grant or loan under the program of at least \$100,000

23

submit to the ~~corporation~~ department, within 120 days after the end of the recipient's

24

fiscal year in which any grant or loan funds were expended, a schedule of

25

expenditures of the grant or loan funds, including expenditures of any matching cash

1 or in-kind match, signed by the director or principal officer of the recipient to attest
 2 to the accuracy of the schedule of expenditures. The recipient shall engage an
 3 independent certified public accountant to perform procedures, approved by the
 4 ~~corporation~~ department and consistent with applicable professional standards of the
 5 American Institute of Certified Public Accountants, to determine whether the grant
 6 or loan funds and any matching cash or in-kind match were expended in accordance
 7 with the grant or loan contract. The ~~board~~ department shall also require the
 8 recipient of such a grant or loan to make available for inspection the documents
 9 supporting the schedule of expenditures. The ~~board~~ department shall include the
 10 requirements under this paragraph in the contract with grant or loan recipients.

11 X (b) (intro.) That the ~~board~~ department, if a recipient of a grant or loan under
 12 the program submits false or misleading information to the ~~corporation~~ department
 13 or fails to comply with the terms of a contract entered into with the ~~corporation~~
 14 department, without providing satisfactory explanation for the noncompliance, do
 15 all of the following:

, as created by 2015 Wisconsin Act 55,

16 **SECTION 326.** 238.03 (4) of the statutes ~~is~~ repealed.

17 **SECTION 327.** 238.04 of the statutes is repealed.

18 **SECTION 328.** 238.045 of the statutes is repealed.

19 **SECTION 329.** 238.046 of the statutes is repealed.

20 **SECTION 330.** 238.05 of the statutes is repealed.

21 **SECTION 331.** 238.06 of the statutes is repealed.

22 **SECTION 332.** 238.07 of the statutes is renumbered 555.07, and 555.07 (1), (2)
 23 (intro.), (ag) and (ar), (3) and (4), as renumbered, are amended to read:

24 X 555.07 (1) Annually, by January 1, the ~~board~~ department shall submit to the
 25 chief clerk of each house of the legislature, for distribution to the legislature under

1 s. 13.172 (2), a report identifying the economic development projects that the board
2 department intends to develop and implement during the current calendar year.

3 * (2) (intro.) Annually, no later than October 1, the board department shall
4 submit to the joint legislative audit committee and the chief clerk of each house of
5 the legislature, for distribution to the legislature under s. 13.172 (2), a report for the
6 previous fiscal year on each of the economic development programs of the ~~corporation~~
7 department that contains all of the following:

8 * (ag) An accounting of the location, by municipality, of each job created or
9 retained in the state in the previous fiscal year as a result of the program. The
10 department may not rely on aggregate jobs impact numbers for its report under this
11 paragraph.

12 * (ar) An accounting of the industry classification, by municipality, of each job
13 created or retained in the state as a result of the program. The department may not
14 rely on aggregate jobs impact numbers for its report under this paragraph.

15 * (3) The board department shall make readily accessible to the public on an
16 ~~Internet-based system~~ Internet site the information required under sub. (2). The
17 department's Internet site shall also contain the department's job creation and
18 retention goals; all amendments to contracts executed under an economic
19 development program of the department; and all agendas, meeting minutes, and
20 materials discussed for meetings of the economic development policy board and the
21 board of directors of the Badger Innovation Corporation.

22 * (4) Annually, beginning in 2014, the board department shall have an
23 independent audit conducted of the ~~corporation's~~ department's financial statements
24 for the previous fiscal year and submit the audit report to the joint legislative audit

1 committee and the chief clerk of each house of the legislature, for distribution to the
2 legislature under s. 13.172 (2).

3 **History:** 2011 a. 7; 2013 a. 20.

3 **SECTION 333.** 238.08 of the statutes is repealed.

4 **SECTION 334.** 238.09 of the statutes is repealed.

5 **SECTION 335.** 238.10 of the statutes is renumbered 555.10 and amended to

6 read:

7 × 555.10 (1) ALLOCATION. The ~~corporation~~ department shall establish under 26
8 USC 146 and administer a system for the allocation of the volume cap on the issuance
9 of private activity bonds, as defined under 26 USC 141 (a), among all municipalities,
10 as defined in s. 67.01 (5), and any corporation formed on behalf of those
11 municipalities, and among this state, the Wisconsin Health and Educational
12 Facilities Authority, the Wisconsin Aerospace Authority, and the Wisconsin Housing
13 and Economic Development Authority.

14 × (2) AMENDMENT TO ALLOCATION. At any time prior to December 31 in any year,
15 the ~~corporation~~ department may adopt rules to revise the allocation system
16 established for that year under sub. (1), except that any revision under this
17 subsection does not apply to any allocation under which the recipient of that
18 allocation has adopted a resolution authorizing the issuance of a private activity
19 bond, as defined in 26 USC 141 (a).

20 × (3) CONDITIONS. The ~~corporation~~ department may establish any procedure for,
21 and place any condition upon, the granting of an allocation under this section which
22 the ~~corporation~~ department deems to be in the best interest of the state including a
23 requirement that a cash deposit, at a rate established by the ~~corporation~~ department,
24 be a condition for an allocation.

1 * (4) CERTIFICATION. If the ~~corporation~~ department receives notice of the issuance
2 of a bond under an allocation under subs. (1) to (3), the ~~corporation~~ department shall
3 certify that that bond meets the requirements of 26 USC 146.

4 History: 1987 a. 69, 403; 1989 a. 8; 1997 a. 27; 2005 ^{a.} 335; 2011 a. 32 s. 3315; Stats. 2011 s. 238.10.

4 **SECTION 336.** 238.11 of the statutes is renumbered 555.11 and amended to
5 read:

6 * 555.11 (1) The ~~corporation~~ department shall prescribe the notice forms to be
7 used under s. 66.1103 (4m) (a) 1. The ~~corporation~~ department shall include on the
8 forms a requirement for information on the number of jobs the person submitting the
9 notice expects to be eliminated, created, or maintained on the project site and
10 elsewhere in this state by the project which is the subject of the notice. The
11 ~~corporation~~ ^{department} shall prescribe the forms to be used under s. 66.1103 (4m) (b).

12 * (2) If the ~~corporation~~ department receives a notice under s. 66.1103 (4m) (a),
13 the ~~corporation~~ department shall estimate, no later than 20 days after receipt of the
14 notice, whether the project that is the subject of the notice is expected to eliminate,
15 create, or maintain jobs on the project site and elsewhere in this state and the net
16 number of jobs expected to be eliminated, created, or maintained as a result of the
17 project.

18 * (5) The ~~corporation~~ department shall issue an estimate made under sub. (2) to
19 the city, village, town, or county which will issue the bonds to finance the project
20 which is the subject of the estimate.

21 History: 1985 a. 299; 1999 a. 85; 1999 a. 150 s. 672; 2001 a. 104; 2009 a. 112; 2011 a. 32 s. 3318; Stats. 2011 s. 238.11; 2011 a. 214.

21 **SECTION 337.** 238.115 of the statutes, as ^{created} ~~affected~~ by 2015 Wisconsin Act 55, is
22 renumbered 555.115, and 555.115 (1) (intro.), (a), (b), (e) and (g), (2) and (3), as
23 renumbered, are amended to read:

1 ~~§~~ 555.115 (1) ~~CORPORATION~~ DEPARTMENT OBLIGATIONS. (intro.) No later than the
2 end of the first month following each quarter, the ~~corporation~~ department shall
3 provide to the department of revenue all of the following information for the previous
4 quarter:

5 ~~✕~~ (a) The identity of each person the ~~corporation~~ department certified for tax
6 credits under this chapter and, for each person, the amount certified.

7 ~~✕~~ (b) The identity of each person the ~~corporation~~ department verified to claim tax
8 credits under this chapter based on the person's satisfaction of all applicable
9 requirements to be eligible to claim the tax credits and, for each person, the amount
10 verified.

11 ~~✕~~ (e) The identity of each person for whom the ~~corporation~~ department revoked
12 a certification for tax credits and, for each person, the amount revoked.

13 ~~✕~~ (g) Any other information the department of revenue and the ~~corporation~~ department
14 department agree is necessary to accurately track certification, verification,
15 transfer, and usage of tax credits under this chapter.

16 ~~✕~~ (2) Each person the ~~corporation~~ department certifies for tax credits under this
17 chapter shall provide all information necessary for the ~~corporation~~ department
18 comply with the reporting requirements under sub. (1).

19 ~~✕~~ (3) The department of revenue shall track the amount of all tax credits
20 administered by the ~~corporation~~ department of economic opportunity that have been
21 claimed or used to offset tax liability and the amount of all available unused tax
22 credits under this chapter.

under this chapter

as affected by 2015 Wisconsin Act 55,

23 **SECTION 338.** 238.12 of the statutes is renumbered 555.12 and amended to
24 read:

History: 2015 a. 55.

1 × **555.12 Repayment of grants, loans, and tax benefits.** (1) (intro.) In this
2 section, “tax:

3 × (b) “Tax benefits” means the credits under ss. 71.07 (2dd), (2de), (2di), (2dj),
4 (2dL), (2dm), (2dr), (2ds), (2dx), (3g), and (3t), 71.28 (1dd), (1de), (1di), (1dj), (1dL),
5 (1dm), (1ds), (1dx), (3g), and (3t), 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds),
6 (1dx), (3g), and (3t), and 76.636.

7 × **555.12 (2)** The corporation may not award a grant or loan under this chapter
8 to a person or certify a person to receive tax benefits unless the corporation enters
9 into an agreement with the person that requires does all of the following:

10 × (a) Requires the person to repay the grant, loan, or tax benefits if, within 5 years
11 after receiving the grant or loan or being certified to receive tax benefits, the person
12 ceases to conduct in this state the economic activity for which the person received the
13 grant or loan or for which the person was certified to receive tax benefits and
14 commences substantially the same economic activity outside this state.

15 **SECTION 339.** 238.123 of the statutes ^{is as created by 2015 Wisconsin Act 55,} is repealed.

16 **SECTION 340.** 238.125 of the statutes is renumbered 555.125 and amended to
17 read:

18 **555.125 Notification of position openings; compliance.** The corporation
19 department shall monitor compliance with the position-opening notification
20 requirements under ss. 66.1103 (6m) and 106.16.

21 **History:** 1987 a. 27; 1995 a. 27; 1999 a. 150 s. 672; 2011 a. 32 s. 3333; Stats. 2011 s. 238.125.

22 **SECTION 341.** 238.127 of the statutes is renumbered 555.127, and 555.127 (2)
(intro.), (c) (intro.), (e), (h) and (j), as renumbered, are amended to read:

23 × **555.127 (2)** (intro.) The corporation department shall establish and administer
24 a state main street program to coordinate state and local participation in programs

1 offered by the national main street center, created by the national trust for historic
2 preservation, to assist municipalities in planning, managing and implementing
3 programs for the revitalization of business areas. The ~~corporation~~ department shall
4 do all of the following:

5 ✕ (c) (intro.) With help from interested individuals and organizations, develop a
6 plan describing the objectives of the state main street program and the methods by
7 which the ~~corporation~~ department shall:

8 ✕ (e) Annually select, upon application, up to 5 municipalities to participate in
9 the state main street program. The program for each municipality shall conclude
10 after 3 years, except that the program for each municipality selected after July 29,
11 1995, shall conclude after 5 years. The ~~corporation~~ department shall select program
12 participants representing various geographical regions and populations. A
13 municipality may apply to participate, and the ~~corporation~~ department may select
14 a municipality for participation, more than one time. In selecting a municipality,
15 however, the ~~corporation~~ department may give priority to those municipalities that
16 have not previously participated.

17 ✕ (h) Provide training, technical assistance and information on the revitalization
18 of business areas to municipalities which do not participate in the state main street
19 program. The ~~corporation~~ department may charge reasonable fees for the services
20 and information provided under this paragraph.

21 ✕ (j) The ~~corporation~~ department shall expend at least \$250,000 annually on the
22 state main street program.

1 **SECTION 342.** 238.13 of the statutes, as affected by 2015 Wisconsin Act 55, is
2 renumbered 555.13, and 555.13 (2) (a) (intro.), (3) (intro.) and (f) and (5), as
3 renumbered, are amended to read:

4 × 555.13 (2) (a) (intro.) The ~~corporation~~ department may make a grant to a
5 person if all of the following apply:

6 × (3) (intro.) The ~~corporation~~ department may consider the following criteria in
7 making awards under this section:

8 × (f) Any other factors considered by the ~~corporation~~ department to be relevant
9 to assessing the viability and feasibility of the project.

10 × (5) Before the ~~corporation~~ department awards a grant under this section, the
11 ~~corporation~~ department shall consider the recommendations of the department of
12 natural resources.

History: 1997 a. 27; 1999 a. 9; 2001 a. 16; 2007 a. 20, 125; 2009 a. 28; 2011 a. 32 ss. 3341 to 3343; Stats. 2011 s. 238.13; 2013 a. 166 s. 76; 2015 a. 55.

13 **SECTION 343.** 238.133 of the statutes is renumbered 555.133, and 555.133 (2)
14 (title), (a), (b), (c) and (d), (3) (intro.), (4), (5) (intro.) and (c) and (7), as renumbered,
15 are amended to read:

16 × 555.133 (2) (title) DUTIES OF THE CORPORATION DEPARTMENT

17 × (a) The ~~corporation~~ department shall administer a program to award
18 brownfield site assessment grants from the appropriation under s. ~~20.192~~ ^{20.143} (1) (s) to
19 local governmental units for the purposes of conducting any of the eligible activities
20 under sub. (3).

21 × (b) The ~~corporation~~ department may not award a grant to a local governmental
22 unit under this section if that local governmental unit caused the environmental
23 contamination that is the basis for the grant request.

1 ✕(c) The ~~corporation~~ department may only award grants under this section if the
2 person that caused the environmental contamination that is the basis for the grant
3 request is unknown, cannot be located or is financially unable to pay the cost of the
4 eligible activities.

5 ✕(d) The ~~corporation~~ department shall establish criteria as necessary to
6 administer the program. The ~~corporation~~ department may limit the total amount of
7 funds that may be used to cover the costs of each category of eligible activity
8 described in sub. (3).

9 ✕(3) (intro.) The ~~corporation~~ department may award grants to local
10 governmental units to cover the costs of the following activities:

11 ✕(4) The applicant shall submit an application on a form prescribed by the
12 ~~corporation~~ department and shall include any information that the ~~corporation~~
13 department finds necessary to calculate the amount of a grant.

14 ✕(5) (intro.) The ~~corporation~~ department shall consider the following criteria
15 when determining whether to award a grant:

16 ✕(c) Other criteria that the ~~corporation~~ department finds necessary to calculate
17 the amount of a grant.

18 ✕(7) The ~~corporation~~ department may not distribute a grant unless the
19 applicant contributes matching funds equal to 20% of the grant. Matching funds
20 may be in the form of cash or in-kind contribution or both.

21 **History:** 1999 a. 9; 2001 a. 16, 30; 2011 a. 32 s. 2990r; Stats. 2011 s. 238.133; 2013 a. 20.

22 **SECTION 344.** 238.135 of the statutes is renumbered 555.135 and amended to
23 read:

24 ✕ **555.135 Grants to regional economic development organizations.** The
~~corporation~~ department shall award annual grants to regional economic

1 development organizations to fund marketing activities. The amount of each grant
2 may not exceed \$100,000 or the amount of matching funds the organization obtains
3 from sources other than ~~the corporation~~ or the state, whichever is less.

4 History: 2011 a. 32.

5 **SECTION 345.** 238.14 of the statutes, as ~~affected~~ ^{created} by 2015 Wisconsin Act 55, is
renumbered 555.14 and amended to read:

6 ~~s. 20.192~~ [×] **555.14 St. Croix Valley Business Incubator.** From the appropriation under
7 s. ~~20.192~~ ^{strike} ~~(1)~~ ^{20.143} (a), the ~~corporation~~ department shall make a grant of \$250,000 to the
8 River Falls Economic Development Corporation to construct the St. Croix Valley
9 Business Incubator. The ~~corporation~~ department may award the grant under this
10 section only if federal moneys are secured for the same purpose.

11 History: 2015 a. 55.

12 **SECTION 346.** 238.145 of the statutes, as ~~affected~~ ^{created} by 2015 Wisconsin Act 55, is
13 renumbered 555.145, and 555.145 (1) (a), (2) (a), (b) and (c), (3) (a) and (b), (5) (a) and
(b) (intro.), 1., 2. and 3. and (6), as renumbered, are amended to read:

14 × 555.145 (1) (a) "Eligible recipient" means a person the ~~corporation~~ department
15 certifies under sub. (2) (b) as eligible to receive grants under this section. ^{↑ ↑ ↑ ↑}

16 × (2) (a) The ~~corporation~~ department shall implement an economic development
17 program to award grants under this section.

18 × (b) The ~~corporation~~ department may certify a person as eligible to receive
19 grants under this section as provided in ~~policies and procedures~~ rules adopted by the
20 ~~corporation~~ department under sub. (6).

21 × (c) The ~~corporation~~ department may not certify a person under par. (b) after
22 June 30, 2017.

23 × (3) (a) From the appropriation under s. ~~20.192~~ ^{strike} ~~(1)~~ ^{20.143} (a), the ~~corporation~~ department
24 department may award up to a total of \$500,000 in grants to eligible recipients.

1 × (b) The ~~corporation~~ department may not award grants totaling more than
2 \$75,000 to each eligible recipient, and the ~~corporation~~ department may not award a
3 grant of more than \$25,000 to an eligible recipient in any year.

4 × (5) (a) The ~~corporation~~ department shall award grants under this section
5 annually, on a competitive basis, based on an eligible recipient's financial need; and,
6 subject to the limitations under par. (b), the ~~corporation~~ department may not take
7 into account whether an eligible recipient was previously awarded a grant under this
8 section in determining whether to award a grant to the eligible recipient.

9 × (b) (intro.) The ~~corporation~~ department may award no more than 3 annual
10 grants to each eligible recipient, as follows:

11 × 1. In the first grant year, the ~~corporation~~ department may contribute up to 75
12 percent of the eligible recipient's equipment expenditures under sub. (4).

13 × 2. In the 2nd grant year, the ~~corporation~~ department may contribute up to 50
14 percent of the eligible recipient's equipment expenditures under sub. (4).

15 × 3. In the 3rd grant year, the ~~corporation~~ department may contribute up to 25
16 percent of the eligible recipient's equipment expenditures under sub. (4).

17 × (6) The ~~corporation~~ department shall ~~adopt policies and procedures~~
18 promulgate rules to implement the grant program under this section.

19 History: 2015 a. 55.

20 SECTION 347. 238.15 of the statutes, as affected by 2015 Wisconsin Act 55, is
21 renumbered 555.15, and 555.15 (1) (intro.) ^{e and} (m) 1. (intro.) and c. and 3., (2) and (3)
22 (a), ^{and} (d) (intro.), 1. and 2. a. and b., (dm), (e) and (f) 1., as renumbered, are amended
23 to read:

24 × 555.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~corporation~~ department
 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A

1 business desiring certification shall submit an application to the ~~corporation~~
2 department in each taxable year for which the business desires certification. The
3 business shall specify in its application the investment amount it wishes to raise and
4 the ~~corporation~~ department may certify the business and determine the amount that
5 qualifies for purposes of s. 71.07 (5d). The ~~corporation~~ department may certify or
6 recertify a business for purposes of s. 71.07 (5d) only if the business satisfies all of
7 the following conditions:

8 × (m) 1. (intro.) It agrees that it will not relocate outside of this state during the
9 3 years after it receives an investment for which a person may claim a tax credit
10 under s. 71.07 (5d) and agrees to pay the ~~corporation~~ department a penalty, in an
11 amount determined under subd. 2., if the business relocates outside of this state
12 during that 3-year period. For the purposes of this paragraph, except as provided
13 in ~~policies and procedures~~ rules under sub. (3) (dm), a business relocates outside of
14 this state when the business locates more than 51 percent of any of the following
15 outside of this state:

16 × c. The activities of the business's headquarters, as determined by the
17 ~~corporation~~ department *close space*

18 × 3. Subdivision 1. does not apply to a business that the ~~corporation~~ department
19 certified for purposes of s. 71.07 (5d) before April 20, 2012, and that, in reliance on
20 that certification, executed a note or bond that is convertible to an equity interest.

21 × (2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~corporation~~ department
22 shall implement a program to certify investment fund managers for purposes of ss.
23 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring
24 certification shall submit an application to the ~~corporation~~ department. The
25 investment fund manager shall specify in the application the investment amount

1 that the manager wishes to raise and the ~~corporation~~ department may certify the
2 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),
3 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment
4 fund manager, the ~~corporation~~ department shall consider the investment fund
5 manager's experience in managing venture capital funds, the past performance of
6 investment funds managed by the applicant, the expected level of investment in the
7 investment fund to be managed by the applicant, and any other relevant factors. The
8 ~~corporation~~ department may certify only investment fund managers that commit to
9 consider placing investments in businesses certified under sub. (1).

10 × (3) (a) *List of certified businesses and investment fund managers.* The
11 ~~corporation~~ department shall maintain a list of businesses certified under sub. (1)
12 and investment fund managers certified under sub. (2) and shall permit public access
13 to the lists through the ~~corporation's~~ department's Internet Web site.

14 × (d) *Administration.* (intro.) The ~~corporation~~ department, in consultation with
15 the department of revenue, shall ~~establish policies and procedures~~ promulgate rules
16 to administer this section and shall further define "bona fide angel investment" for
17 purposes of s. 71.07 (5d) (a) 1. The aggregate amount of tax credits under s. 71.07
18 (5d) that may be claimed for investments in businesses certified under sub. (1) and
19 of tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be
20 claimed for investments paid to fund managers certified under sub. (2) is
21 \$30,000,000 per calendar year. The ~~policies and procedures~~ rules shall provide that
22 a person who receives a credit under s. 71.07 (5b) or (5d), 71.28 (5b), 71.47 (5b), or
23 76.638 must keep the investment in a certified business, or with a certified fund
24 manager, for no less than 3 years, unless the person's investment becomes worthless,
25 as determined by the ~~corporation~~ department, during the 3-year period or the person

1 has kept the investment for no less than 12 months and a bona fide liquidity event,
2 as determined by the ~~corporation~~ department, occurs during the 3-year period. The
3 ~~policies and procedures~~ rules shall permit the ~~corporation~~ department to reallocate
4 credits under this section in any calendar year that are unused in that calendar year
5 to a person eligible for tax benefits, as defined under s. ~~238.30~~ 555.30 (7) (e), if all of
6 the following apply:

NOTE: NOTE: Par. (d) (intro.) is shown as amended eff. 1-1-16 by 2015 Wis. Act 55. Prior to 1-1-16 it reads: NOTE:

7 (d) *Administration.* The corporation, in consultation with the department of revenue, shall establish policies and procedures to
8 administer this section and shall further define “bona fide angel investment” for purposes of s. 71.07 (5d) (a) 1. The aggregate amount of
9 tax credits under s. 71.07 (5d) that may be claimed for investments in businesses certified under sub. (1) and of tax credits under ss. 71.07
10 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) is \$30,000,000 per
11 calendar year. The policies and procedures shall provide that a person who receives a credit under s. 71.07 (5b) or (5d), 71.28 (5b), 71.47
12 (5b), or 76.638 must keep the investment in a certified business, or with a certified fund manager, for no less than 3 years, unless the
13 person’s investment becomes worthless, as determined by the corporation, during the 3-year period or the person has kept the investment
14 for no less than 12 months and a bona fide liquidity event, as determined by the corporation, occurs during the 3-year period. The policies
15 and procedures shall permit the corporation to reallocate credits under this section in any calendar year that are unused in that calendar
16 year to a person eligible for tax benefits, as defined under s. 238.16 (1) (d), if all of the following apply:

17 × 1. The ~~corporation~~ department notifies the joint committee on finance in
18 writing of its proposed reallocation.

19 × 2. a. The cochairpersons of the joint committee on finance fail to notify the
20 ~~corporation~~ department, within 14 working days after the date of the ~~corporation’s~~
21 department’s notification under subd. 1., that the committee has scheduled a
22 meeting for the purpose of reviewing the proposed reallocation.

23 × b. The cochairpersons of the joint committee on finance notify the ~~corporation~~
24 department that the committee has approved the proposed reallocation.

25 × (dm) The ~~corporation’s policies and procedures~~ department’s rules under this
26 subsection shall provide that a business is considered to have not relocated outside
27 of this state under sub. (1) (m) 1., regardless of whether the business satisfies sub.

28 (1) (m) 1. a. and b., if the ~~corporation~~ department determines that the business’s
29 investment and employment levels in this state have not diminished.

30 × (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28
31 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person

1 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III
 2 of ch. 76, if the person receives prior authorization from the investment fund
 3 manager and the manager then notifies the ~~corporation~~ department and the
 4 department of revenue of the transfer and submits with the notification a copy of the
 5 transfer documents. No person may sell or otherwise transfer a credit as provided
 6 in this paragraph more than once in a 12-month period. The ~~corporation~~ department
 7 may charge any person selling or otherwise transferring a credit under this
 8 paragraph a fee of up to 5 percent of the credit amount sold or transferred.

9 * (f) 1. Beginning with December 31, 2014, tax credits that the ~~corporation~~
 10 department has not allocated under this section on or before December 31 of each
 11 year may not be allocated after that date.

12 **History:** 2003 a. 255; 2005 a. 49, 97; 2007 a. 20, 125; 2009 a. 2, 265, 276; 2011 a. 32 s. 3356; Stats. 2011 s. 238.15; 2011 a. 213; 2015 a. 55.

13 **SECTION 348.** 238.16 of the statutes, as affected by 2015 Wisconsin Act 55, is
 14 renumbered 555.16, and 555.16 (1) (c) 2. (intro.), (2) (intro.) and (b), (3), (4) (b) 1.
 15 (intro.) and 2. and (c), (5) (title), (c), (e) and (f) (intro.) ^{and} 1. and (6), as renumbered, are
 16 amended to read: _(intro.)

17 * 555.16 (1) (c) 2. (intro.) The ~~corporation~~ department may grant exceptions to
 18 the requirement under subd. 1. that a full-time job means a position in which an
 19 individual, as a condition of employment, is required to work at least 2,080 hours per
 20 year if all of the following apply:

21 * (2) (intro.) The ~~corporation~~ department may certify a person to receive tax
 22 benefits under this section if all of the following apply:

23 * (b) The person applies under this section and enters into a contract with the
~~corporation~~ department.

1 × (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub. (2) may
2 receive tax benefits under this section if, in each year for which the person claims tax
3 benefits under this section, the person increases net employment in this state in the
4 person's business above the net employment in this state in the person's business
5 during the year before the person was certified under sub. (2), as determined by the
6 ~~corporation~~ department under its ~~policies and procedures~~ rules, and one of the
7 following applies:

8 × (4) (b) 1. (intro.) The ~~corporation~~ department may award to a person certified
9 under sub. (2) tax benefits for each eligible employee in an amount equal to up to 10
10 percent of the wages paid by the person to that employee or \$10,000, whichever is
11 less, if that employee earned wages in the year for which the tax benefit is claimed
12 equal to one of the following:

13 × 2. The ~~corporation~~ department may award to a person certified under sub. (2)
14 tax benefits in an amount to be determined by the ~~corporation~~ department for costs
15 incurred by the person to undertake the training activities described in sub. (3) (c).

16 × (c) Subject to a reallocation by the ~~corporation~~ department pursuant to ~~policies~~
17 ~~and procedures~~ rules adopted under s. ~~238.15~~ 555.15 (3) (d), the ~~corporation~~
18 department may allocate up to \$10,000,000 in tax benefits under this section in any
19 calendar year.

20 × (5) (title) DUTIES OF THE ~~CORPORATION~~ DEPARTMENT.

21 × (c) The ~~corporation~~ department may require a person to repay any tax benefits
22 the person claims for a year in which the person failed to maintain employment
23 required by an agreement under sub. (2) (b).

1 × (e) The ~~corporation~~ department shall annually verify the information
2 submitted to the ~~corporation~~ department by the person claiming tax benefits under
3 ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

4 × (f) (intro.) The ~~corporation~~ department shall ~~adopt policies and procedures~~
5 promulgate rules for the implementation and operation of this section, including
6 ~~policies and procedures~~ rules relating to the following:

7 × 1. (intro.) The definitions of a tier I county or municipality and a tier II county
8 or municipality. The ~~corporation~~ department may consider all of the following
9 information when establishing the definitions required under this subdivision:

10 × (6) SUNSET. No tax benefits may be awarded under this section after December
11 31, 2015, unless the tax benefits were allocated to a taxpayer by the ~~corporation~~
12 Wisconsin Economic Development Corporation under s. 238.16, 2015 stats., in a
13 contract that the ~~corporation~~ Wisconsin Economic Development Corporation
14 executed before that date or in a letter of intent to enter into such a contract that the
15 corporation issued before that date.

16 **History:** 2009 a. 28, 265; 2011 a. 32 ss. 2864, 2357 to 3366; Stats. 2011 s. 238.16; 2011 a. 88; 2013 a. 20, 145; 2015 a. 55.

17 **SECTION 349.** 238.17 of the statutes, as affected by 2015 Wisconsin Act 55, is
18 renumbered 555.17 and amended to read:

19 × **555.17 Historic rehabilitation tax credit.** For taxable years beginning
20 after December 31, 2013, the ~~corporation~~ department may certify a person to claim
21 a tax credit under s. 71.07 (9m), 71.28 (6), or 71.47 (6), if the ~~corporation~~ department
22 determines that the person is conducting an eligible activity under s. 71.07 (9m),
23 71.28 (6), or 71.47 (6). No person may claim a tax credit under s. 71.07 (9m), 71.28
(6), or 71.47 (6) without first being certified under this section.

History: 2013 a. 62; 2015 a. 55.

1 **SECTION 350.** 238.23 of the statutes, as affected by 2015 Wisconsin Act 55, is
2 renumbered 555.23, and 555.23 (2) (a) and (b), (3) (a) (intro.), (b) (intro.), (c) and (d),
3 (4) (a) (intro.) and (b) and (5) (intro.), (e) and (g), as renumbered, are amended to read:

4 × 555.23 (2) (a) Except as provided in par. (c), the ~~corporation~~ department may
5 designate up to 8 areas in the state as technology zones. A business that is located
6 in a technology zone and that is certified by the ~~corporation~~ department under sub.
7 (3) is eligible for a tax credit as provided in sub. (3).

8 × (b) The designation of an area as a technology zone shall be in effect for 10 years
9 from the time that the ~~corporation~~ department first designates the area. Not more
10 than \$5,000,000 in tax credits may be claimed in a technology zone, except that the
11 ~~corporation~~ department may allocate the amount of unallocated airport
12 development zone tax credits, as provided under s. ~~238.3995~~ 555.3995 (3) (b), to
13 technology zones for which the \$5,000,000 maximum allocation is insufficient. The
14 ~~corporation~~ department may change the boundaries of a technology zone during the
15 time that its designation is in effect. A change in the boundaries of a technology zone
16 does not affect the duration of the designation of the area or the maximum tax credit
17 amount that may be claimed in the technology zone.

18 × (3) (a) (intro.) Except as provided in par. (e), the ~~corporation~~ department may
19 certify for tax credits in a technology zone a business that satisfies all of the following
20 requirements:

21 × (b) (intro.) In determining whether to certify a business under this subsection,
22 the ~~corporation~~ department shall consider all of the following:

23 × (c) When the ~~corporation~~ department certifies a business under this
24 subsection, the ~~corporation~~ department shall establish a limit on the amount of tax
25 credits that the business may claim. Unless its certification is revoked, and subject

1 to the limit on the tax credit amount established by the ~~corporation~~ department
2 under this paragraph, a business that is certified may claim a tax credit for 3 years,
3 except that a business that experiences growth, as determined for that business by
4 the ~~corporation~~ department under par. (d) and sub. (5) (e), may claim a tax credit for
5 up to 5 years.

6 × (d) The ~~corporation~~ department shall enter into an agreement with a business
7 that is certified under this subsection. The agreement shall specify the limit on the
8 amount of tax credits that the business may claim, the extent and type of growth,
9 which shall be specific to the business, that the business must experience to extend
10 its eligibility for a tax credit, the business' baseline against which that growth will
11 be measured, any other conditions that the business must satisfy to extend its
12 eligibility for a tax credit, and reporting requirements with which the business must
13 comply.

14 × (4) (a) (intro.) The ~~corporation~~ department shall notify the department of
15 revenue of all the following:

16 × (b) The ~~corporation~~ department shall annually verify information submitted
17 to the ~~corporation~~ department under ss. 71.07 (2dm), (2dx), and (3g), 71.28 (1dm),
18 (1dx), and (3g), and 71.47 (1dm), (1dx), and (3g).

19 × (5) (intro.) The ~~corporation~~ department shall adopt rules for the operation of
20 this section, including rules related to all the following:

21 × (e) Standards for extending a business's certification, including what
22 measures, in addition to job creation, the ~~corporation~~ department will use to
23 determine the growth of a specific business and how the ~~corporation~~ department will
24 establish baselines against which to measure growth.

1 × (g) The exchange of information between the ~~corporation~~ department and the
2 department of revenue.

3 **History:** 2001 a. 16, 104; 2007 a. 183; 2009 a. 2; 2011 a. 32 s. 3448; Stats. 2011 s. 238.23; 2015 a. 55.

3 **SECTION 351.** 238.25 of the statutes is renumbered 555.25 and amended to
4 read:

5 × **555.25 Assistance to loan recipients.** The ~~corporation~~ department shall
6 assist new businesses and small businesses receiving the assistance of the Wisconsin
7 Housing and Economic Development Authority in locating sources of venture capital
8 and in obtaining the state and federal licenses and permits necessary for business
9 operations.

10 **History:** 2011 a. 32 s. 3305; Stats. 2011 s. 238.25; 2011 a. 214.

10 **SECTION 352.** 238.26 of the statutes is renumbered 555.26 and amended to
11 read:

12 × **555.26 Report to investment board.** No later than September 30 of each
13 even-numbered year, the ~~corporation~~ department shall submit to the investment
14 board a report describing the types of investments in businesses in this state that will
15 have the greatest likelihood of enhancing economic development in this state.

16 **History:** 2011 a. 32 s. 3329.

16 **SECTION 353.** Subchapter II (title) of chapter 238 [precedes 238.30] of the
17 statutes is renumbered Subchapter II (title) of chapter 555 [precedes 555.30].

18 **SECTION 354.** 238.30 of the statutes, as affected by 2015 Wisconsin Act 55, is
19 renumbered 555.30, and 555.30 (intro.), (2g), (2m) (b) (intro.) and (7) (b) 1. and 2., (c),
20 (d) and (e), as renumbered, are amended to read:

21 × **555.30 Definitions.** ^(intro.) In this section and ss. ~~238.301~~ 555.301 to ~~238.395~~ 555.395
22 and ~~238.398~~ 555.398:

23 × **(2g)** “Eligible activity” means an activity described under s. ~~238.302~~ 555.302.

1 × (2m) (b) (intro.) The ~~corporation~~ department may grant exceptions to the
2 requirement under par. (a) that a full-time job means a position in which an
3 individual, as a condition of employment, is required to work at least 2,080 hours per
4 year if all of the following apply:

5 × (7) (b) 1. Except as provided in subd. 2., in s. ~~238.395~~ 555.395, “tax benefits”
6 means the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx),
7 and 76.636. With respect to the development opportunity zones under s. ~~238.395~~
8 555.395 (1) (e) and (f), “tax benefits” also means the development zones capital
9 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

10 × 2. With respect to the development opportunity zones under s. ~~238.395~~ 555.395
11 (1) (g), (h), and (i), “tax benefits” means the development zone credits under ss. 71.07
12 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital
13 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

14 × (c) In s. ~~238.398~~ 555.398, “tax benefits” means the development zones capital
15 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the
16 development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

17 × (d) In ss. ~~238.301~~ 555.301 to ~~238.306~~ 555.306, “tax benefits” means the
18 economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and
19 76.637.

20 × (e) In s. ~~238.308~~ 555.308, “tax benefits” means the business development tax
21 credit under ss. 71.07 (3y), 71.28 (3y), and 71.47 (3y).

History: 1987 a. 328, 411; 1991 a. 39; 1995 a. 27, 209; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2005 a. 259; 2009 a. 2, 28; 2011 a. 32 ss. 3408 to 3409; Stats.
2011 s. 238.30; 2011 a. 37 s. 1; 2013 a. 20; 2013 a. 166 s. 58; 2013 a. 168; 2015 a. 55.

22 **SECTION 355.** 238.301 of the statutes, as affected by 2015 Wisconsin Act 55, is
23 renumbered 555.301, and 555.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.),
24 (b), (c), (d) and (f), as renumbered, are amended to read:

1 × 555.301 (1) APPLICATION. (intro.) Any person may apply to the ~~corporation~~
2 department on a form prepared by the ~~corporation~~ department for certification under
3 this section. The application shall include all of the following:

4 × (e) Other information required by the ~~corporation~~ department or the
5 department of revenue.

6 × (2) (a) The ~~corporation~~ department may certify a person who submits an
7 application under sub. (1) if, after conducting an investigation, the ~~corporation~~
8 department determines that the person is conducting or intends to conduct at least
9 one eligible activity.

10 × (b) The ~~corporation~~ department shall provide a person certified under this
11 section with a copy of the certification.

12 × (3) CONTRACT. (intro.) A person certified under this section shall enter into a
13 written contract with the ~~corporation~~ department. The contract shall include
14 provisions that detail all of the following:

15 × (b) Whether any of the eligible activities will occur in an economically
16 distressed area, as designated by the ~~corporation~~ department under s. 238.304
17 555.304 (1).

18 × (c) Whether any of the eligible activities will benefit members of a targeted
19 group, as determined by the ~~corporation~~ department under s. 238.304 555.304 (2).

20 × (d) A compliance schedule that includes a sequence of anticipated actions to be
21 taken or goals to be achieved by the person before the person may receive tax benefits
22 under s. 238.303 555.303.

23 × (f) If feasible, a determination of the tax benefits the person will be authorized
24 to claim under s. 238.303 555.303 (2) if the person fulfills the terms of the contract.

1 **SECTION 356.** 238.302 of the statutes is renumbered 555.302, and 555.302
2 (intro.), (1), (2) and (3), as renumbered, are amended to read:

3 × **555.302 Eligible activities.** (intro.) A person who conducts or proposes to
4 conduct any of the following may be certified under s. ~~238.301~~ 555.301 (2):

5 × (1) ^{Job Creation Project. (CS)} A project that creates and maintains for a period of time established by the
6 ~~corporation~~ department by rule full-time jobs in addition to any existing full-time
7 jobs provided by the person.

8 × (2) ^{Capital Investment Project. (CS)} A project that involves a significant investment of capital, as defined by the
9 ~~corporation~~ department by rule under s. ~~238.306~~ 555.306 (2) (b), by the person in new
10 equipment, machinery, real property, or depreciable personal property.

11 × (3) ^{Employee Training Project. (CS)} A project that involves significant investments in the training or
12 reeducation of employees, as defined by the ~~corporation~~ department by rule under
13 s. ~~238.306~~ 555.306 (2) (c), by the person for the purpose of improving the productivity
14 or competitiveness of the business of the person.

15 **History:** 2009 a. 2; 2011 a. 32 s. 3411; Stats. 2011 s. ~~238.302~~.

16 **SECTION 357.** 238.303 of the statutes, as affected by 2015 Wisconsin Act 55, is
17 renumbered 555.303, and 555.303 (1) (a), (am) and (b), (2), (3) and (4), as
18 renumbered, are amended to read:

19 × 555.303 (1) (a) Except as provided in pars. (am) and (b), the total tax benefits
20 available to be allocated by the ~~corporation~~ department under ss. ~~238.301~~ 555.301
21 to ~~238.306~~ 555.306 may not exceed the sum of the tax benefits remaining to be
22 allocated under s. 560.71 to 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798,
23 2009 stats., s. 560.7995, 2009 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus
\$100,000,000.

NOTE: NOTE: Section 238.303 (1) (title) was renumbered from s. 560.703 (1) (title) by the legislative reference bureau under s. 13.92 (1) (bm) 2.NOTE:

1 × (am) The ~~corporation~~ department may initially allocate only \$61,000,000 of the
2 additional \$100,000,000 in tax benefits specified in par. (a). Before the ~~corporation~~
3 department allocates the remaining \$39,000,000 in tax benefits specified in par. (a),
4 the ~~corporation~~ department shall submit its plan for such allocation, including a
5 report that describes the intended use of the tax benefits, to the joint committee on
6 finance. If the cochairpersons of the committee do not notify the ~~corporation~~
7 department within 14 working days after the date of the ~~corporation's~~ department's
8 submittal that the committee has scheduled a meeting for the purpose of reviewing
9 the plan, the plan may be implemented and the remaining amount may be allocated
10 as proposed by the ~~corporation~~ department. If, within 14 working days after the date
11 of the ~~corporation's~~ department's submittal, the cochairpersons of the committee
12 notify the ~~corporation~~ department that the committee has scheduled a meeting for
13 the purpose of reviewing the proposed plan, the plan may be implemented and the
14 remaining amount allocated only upon approval of the committee.

15 × (b) The ~~corporation~~ department may submit to the joint committee on finance
16 a request in writing to exceed the total tax benefits specified in par. (a). The
17 ~~corporation~~ department shall submit with its request a justification for seeking an
18 increase under this paragraph. The joint committee on finance, following its review,
19 may approve or disapprove an increase in the total tax benefits available to be
20 allocated under ss. ~~238.301~~ 555.301 to ~~238.306~~ 555.306.

21 × (2) AUTHORITY TO CLAIM TAX BENEFITS. The ~~corporation~~ department may
22 authorize a person certified under s. ~~238.301~~ 555.301 (2) to claim tax benefits only
23 after the person has submitted a report to the ~~corporation~~ department that
24 documents to the satisfaction of the ~~corporation~~ department that the person has

1 complied with the terms of the contract under s. ~~238.301~~ 555.301 (3) and the
2 requirements of any applicable rules adopted under s. ~~238.306~~ 555.306 (2).

3 x (3) NOTICE OF ELIGIBILITY. The ~~corporation~~ department shall provide to the
4 person a notice of eligibility to receive tax benefits that reports the amount of tax
5 benefits for which the person is eligible.

6 x (4) SUNSET. No tax benefits may be awarded under ss. ~~238.301~~ 555.301 to
7 ~~238.306~~ 555.306 after December 31, 2015, unless the tax benefits were allocated to
8 a taxpayer by the ~~corporation~~ Wisconsin Economic Development Corporation under
9 ss. 238.301 to 238.306, 2015 ³ stats., in a contract that the ~~corporation~~ Wisconsin
10 Economic Development Corporation executed before that date or in a letter of intent
11 to enter into such a contract that the ~~corporation~~ Wisconsin Economic Development
12 Corporation issued before that date.

History: 2009 a. 2, 265; 2011 a. 4; 2011 a. 32 ss. 3412 to 3415; Stats. 2011 s. 238.303; 2013 a. 20; 2015 a. 55; s. 13.92(1)(bm) 2.

13 **SECTION 358.** 238.304 of the statutes is renumbered 555.304, and 555.304

14 (intro.) and (1), as renumbered, are amended to read:

15 x **555.304 Eligible activities in economically distressed areas and**
16 **benefiting members of targeted groups.** (intro.) The ~~corporation~~ department
17 may authorize a person certified under s. ~~238.301~~ 555.301 (2) to claim additional tax
18 benefits under s. ~~238.303~~ 555.303 if, after conducting an investigation, the
19 ~~corporation~~ department determines any of the following:

20 (1) The person conducts at least one eligible activity in an area designated by
21 the ~~corporation~~ department as economically distressed. In designating an area as
22 economically distressed under this subsection, the ~~corporation~~ department shall
23 follow the methodology established by rule under s. ~~238.306~~ 555.306 (2) (e).

History: 2009 a. 2; 2011 a. 32 s. 3416; Stats. 2011 s. 238.304.

1 **SECTION 359.** 238.3045 of the statutes, as affected by 2015 Wisconsin Act 55,
2 is renumbered 555.3045, and 555.3045 (1) (title), (a), (b) (intro.) and 4. and (c) 1., (2)
3 (a), (3) and (4) (a) and (b), as renumbered, are amended to read:

4 × 555.3045 (1) ^(title) APPLICATION AND CORPORATION DEPARTMENT APPROVAL. (a) An
5 applicant for certification for tax benefits under s. ~~238.301~~ 555.301 may submit with
6 its application under s. ~~238.301~~ 555.301 (1) an application to the ~~corporation~~
7 department on a form prescribed by the ~~corporation~~ department to transfer those tax
8 benefits to another person under this section. The application shall include the
9 name, address, and tax identification number of the person to whom the applicant
10 intends to transfer the tax benefits and any other information the ~~corporation~~
11 department requires. The ~~corporation~~ department shall notify the applicant of the
12 ~~corporation's~~ department's determination concerning the transfer of tax benefits
13 when the ~~corporation~~ department notifies the applicant of the ~~corporation's~~
14 department's certification determination under s. ~~238.301~~ 555.301.

15 × (b) (intro.) The ~~corporation~~ department may approve the transfer of tax
16 benefits under this section if the ~~corporation~~ department certifies the applicant
17 under par. (a) for tax benefits under s. ~~238.301~~ 555.301 and finds that the applicant
18 meets at least one of the following conditions:

19 × 4. Intends to expand its operations in this state, and that expansion will result
20 in the applicant making a significant capital investment in property located in this
21 state, as determined by the ~~corporation~~ department.

22 × (c) 1. Subject to subd. 2., a person that receives an approval under par. (b) shall
23 transfer tax benefits in accordance with the terms of the application under par. (a)
24 after the ~~corporation~~ department authorizes the person to claim tax benefits under
25 s. ~~238.303~~ 555.303 (2) and provides the notice of eligibility under s. ~~238.303~~ 555.303

1 (3). The notice of eligibility shall contain all relevant information concerning a
2 transfer of tax benefits under this section. The person to whom tax benefits are
3 transferred may carry forward, beginning on the date of the notice of eligibility, any
4 unused amount of the value of those tax benefits as provided under the appropriate
5 provision in ch. 71 or in s. 76.636.

6 x (2) (a) If the ~~corporation~~ department revokes a person's certification for tax
7 benefits under s. ~~238.305~~ 555.305, and, at the time of revocation, that person has
8 transferred those tax benefits under this section, that person shall be liable for the
9 full value of the tax benefits, and the person to whom the tax benefits were
10 transferred may not claim any tax benefits that were not claimed prior to revocation.

11 x (3) ANNUAL REPORT. Annually, the ~~corporation~~ department shall submit a report
12 to the joint committee on finance that provides a detailed assessment of the progress
13 to date of the program under this section.

14 x (4) (a) Except as provided in par. (b), the ~~corporation~~ department may not
15 authorize the transfer of tax benefits under this section that total more than
16 \$15,000,000, and the ~~corporation~~ department may not authorize the transfer of tax
17 benefits after 36 months after April 4, 2014.

18 x (b) Upon expiration of the 36-month period under par. (a), the ~~corporation~~
19 department may continue to authorize the transfer of tax benefits under this section
20 for up to an additional 36 months, and the ~~corporation~~ department may authorize
21 the transfer of up to an additional \$15,000,000 in tax benefits, if the ~~corporation~~
22 department determines that a continuation of the program under this section will
23 promote significant economic development in this state. Before the ~~corporation~~
24 department authorizes the transfer of tax benefits under this paragraph, the ~~chief~~
25 ~~executive officer of the corporation~~ secretary shall notify the joint committee on

1 finance in writing that the ~~corporation~~ department intends to continue authorizing
2 the transfer of tax benefits under this section. That notice shall state the reasons
3 supporting the ~~corporation's~~ department's determination that the transfer of
4 additional tax benefits will promote significant economic development in this state.
5 If, within 14 working days after the date of that notice, the cochairpersons of the
6 committee do not notify the ~~corporation~~ department that the committee has
7 scheduled a meeting to review the ~~corporation's~~ department's proposed continuation
8 of the program, the ~~corporation~~ department may proceed to authorize the transfer
9 of additional tax benefits under this section. If, within 14 working days after the date
10 of that notice, the cochairpersons of the committee notify the ~~corporation~~ department
11 that the committee has scheduled a meeting to review the proposed continuation of
12 the program, the ~~corporation~~ department may proceed to authorize the transfer of
13 additional tax benefits only upon approval of the committee.

History: 2013 a. 184; 2015 a. 55.

14 **SECTION 360.** 238.305 of the statutes is renumbered 555.305, and 555.305
15 (intro.), (1) and (2), as renumbered, are amended to read:

16 **× 555.305 Revocation of certification.** (intro.) The ~~corporation~~ department
17 shall revoke the certification of a person who does any of the following:

18 **× (1)** Supplies false or misleading information to obtain certification under s.
19 ~~238.301~~ 555.301 (2).

20 **× (2)** Supplies false or misleading information to obtain tax benefits under s.
21 ~~238.303~~ 555.303.

History: 2009 a. 2; 2011 a. 32 s. 3417; Stats. 2011 s. ~~238.305~~.

22 **SECTION 361.** 238.306 of the statutes is renumbered 555.306, and 555.306
23 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k) and (3),
24 as renumbered, are amended to read:

1 ~~×~~ **555.306 Responsibilities of the corporation department.** (intro.) The
2 ~~corporation department~~ shall do all of the following:

3 ~~×~~ (1) (a) Annually verify information submitted to the department of revenue
4 under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under
5 s. ~~238.301~~ 555.301 (2) and eligible to receive tax benefits under s. ~~238.303~~ 555.303.

6 ~~×~~ (b) Notify and obtain written approval from the chief executive officer of the
7 ~~corporation~~ secretary for any certification under sub. (2) (j).

8 ~~×~~ (2) (a) A schedule of hourly wage ranges to be paid, and health insurance
9 benefits to be provided, to an employee by a person certified under s. ~~238.301~~ 555.301
10 (2) and the corresponding per employee tax benefit for which a person certified under
11 s. ~~238.301~~ 555.301 (2) may be eligible.

12 ~~×~~ (b) A definition of “significant investment of capital” for purposes of s. ~~238.302~~
13 555.302 (2), together with a corresponding schedule of tax benefits for which a person
14 who is certified under s. ~~238.301~~ 555.301 (2) and who conducts a project described
15 in s. ~~238.302~~ 555.302 (2) may be eligible. The ~~corporation~~ department shall include
16 in the definition required under this paragraph a schedule of investments that takes
17 into consideration the size or nature of the business.

18 ~~×~~ (c) A definition of “significant investments in the training or reeducation of
19 employees” for purposes of s. ~~238.302~~ 555.302 (3), together with a corresponding
20 schedule of tax benefits for which a person who is certified under s. ~~238.301~~ 555.301
21 (2) and who conducts a project under s. ~~238.302~~ 555.302 (3) may be eligible.

22 ~~×~~ (d) A schedule of tax benefits for which a person who is certified under s.
23 ~~238.301~~ 555.301 (2) and who conducts a project that will result in the location or
24 retention of a person’s corporate headquarters in Wisconsin may be eligible.

1 × (e) (intro.) The methodology for designating an area as economically distressed
2 under s. ~~238.304~~ 555.304 (1). The methodology under this paragraph shall require
3 the ~~corporation~~ department to consider the most current data available for the area
4 and for the state on the following indicators:

5 × (f) A schedule of additional tax benefits for which a person who is certified
6 under s. ~~238.301~~ 555.301 (2) and who conducts an eligible activity described under
7 s. ~~238.304~~ 555.304 may be eligible.

8 × (g) Reporting requirements, minimum benchmarks, and outcomes expected of
9 a person certified under s. ~~238.301~~ 555.301 (2) before that person may receive tax
10 benefits under s. ~~238.303~~ 555.303.

11 × (h) Policies, criteria, and methodology for allocating a portion of the tax benefits
12 available under s. ~~238.303~~ 555.303 to rural areas.

13 × (i) Policies, criteria, and methodology for allocating a portion of the tax benefits
14 available under s. ~~238.303~~ 555.303 to small businesses.

15 × (k) Procedures for implementing ss. ~~238.301~~ 555.301 to ~~238.306~~ 555.306.

16 × (3) REPORTING. Annually, 6 months after the report has been submitted under
17 s. ~~238.07~~ 555.07 (2), submit to the joint legislative audit committee and to the
18 appropriate standing committees of the legislature under s. 13.172 (3) a
19 comprehensive report assessing the program under ss. ~~238.301~~ 555.301 to ~~238.306~~
20 555.306. The report under this subsection shall update the applicable information
21 provided in the report under s. ~~238.07~~ 555.07 (2).

History: 2009 a. 2; 2011 a. 32 s. 3418; Stats. 2011 s. 238.306.

22 **SECTION 362.** 238.308 of the statutes, as affected ^{created} by 2015 Wisconsin Act 55, is
23 renumbered 555.308, and 555.308 (2) (a) (intro.) and 2., (3), (4) (a) (intro.), 2. and 5.
24 and (b) and (5) (a), (b) and (c), as renumbered, are amended to read:

1 ✕ 555.308 (2) (a) (intro.) The ~~corporation~~ department may certify a person to
2 receive tax benefits under this section if all of the following apply:

3 ✕ 2. The person applies under this section and enters into a contract with the
4 ~~corporation~~ department.

5 ✕ (3) ELIGIBILITY FOR TAX BENEFITS. A person is eligible to receive tax benefits if,
6 in each year for which the person claims tax benefits under this section, the person
7 increases net employment in this state in the person's business above the net
8 employment in this state in the person's business during the year before the person
9 was certified under sub. (2), as determined by the ~~corporation~~ department under its
10 ~~policies and procedures~~ rules.

11 ✕ (4) (a) (intro.) The ~~corporation~~ department may award all of the following tax
12 benefits to a person certified under sub. (2):

13 ✕ 2. In addition to any tax benefits awarded for an eligible employee under subd.
14 1., an amount equal to up to 5 percent of the amount of wages that the person paid
15 to the eligible employee in the taxable year, if the eligible employee is employed in
16 an economically distressed area, as determined by the ~~corporation~~ department.

17 ✕ 5. An amount, as determined by the ~~corporation~~ department, equal to a
18 percentage of the amount of wages that the person paid to an eligible employee in the
19 taxable year, if the position in which the eligible employee was employed was created
20 or retained in connection with the person's location or retention of the person's
21 corporate headquarters in Wisconsin and the job duties associated with the eligible
22 employee's position involve the performance of corporate headquarters functions.

23 ✕ (b) Subject to a reallocation by the ~~corporation~~ department under s. 238.15
24 555.15 (3) (d), the ~~corporation~~ department may allocate up to \$17,000,000 in tax

1 benefits under this section in 2016 and up to \$22,000,000 per year thereafter. Any
2 unused allocation may be carried forward.

3 × (5) (a) The ~~corporation~~ department may require a person to repay any tax
4 benefits the person claims for a year in which the person failed to employ an eligible
5 employee required by an agreement under sub. (2) (b).

6 × (b) The ~~corporation~~ department shall annually verify the information
7 submitted to it by the person claiming tax benefits under ss. 71.07 (3y), 71.28 (3y),
8 and 71.47 (3y).

9 × (c) The ~~corporation~~ department shall ~~adopt policies and procedures promulgate~~
10 rules for the implementation and operation of this section.

NOTE: NOTE: This section is created eff. 1-1-16 by 2015 Wis. Act 55. NOTE:

History: 2015 a. 55.

11 **SECTION 363.** 238.31 of the statutes is renumbered 555.31, and 555.31 (1)
12 (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a. and d., (1m) (intro.) and (h), (2)
13 and (3) (intro.), as renumbered, are amended to read:

14 × 555.31 (1) (intro.) The ~~corporation~~ department may designate an area as a
15 development zone if all of the following apply:

16 × (ac) The ~~corporation~~ department has invited a local governing body to nominate
17 the area under s. ~~238.315~~ 555.315.

18 × (am) A local governing body nominates the area as described in s. ~~238.32~~
19 555.32.

20 × (b) The ~~corporation~~ department has evaluated the local governing body's
21 application as described in s. ~~238.325~~ 555.325.

22 × (d) The area meets the applicable requirements under s. ~~238.335~~ 555.335.

23 × (e) (intro.) The ~~corporation~~ department determines all of the following:

1 × 3. That economic development in the area is not likely to occur or continue
2 without the ~~corporation's~~ department's designation of the area as a development
3 zone.

4 × 4. a. The unemployment rate in the area is higher than the state average for
5 the 18 months immediately preceding the date on which the application under s.
6 ~~238.32~~ 555.32 (2) or (3) was submitted to the ~~corporation~~ department.

7 × d. In the 36 months immediately preceding the date on which the application
8 under s. ~~238.32~~ 555.32 (2) or (3) was submitted to the ~~corporation~~ department, a
9 number of workers in the area were permanently laid off by their employer or became
10 unemployed as a result of a business action subject to s. 109.07 (1m).

11 × (1m) (intro.) In making a determination under sub. (1) (e), the ~~corporation~~
12 department shall consider all of the following:

13 × (h) Any other factors that the ~~corporation~~ department considers relevant.

14 × (2) In determining whether an area meets the requirements under sub. (1) (e)
15 or s. ~~238.335~~ 555.335, the ~~corporation~~ department may rely on any data provided by
16 the local governing body that the ~~corporation~~ department determines is relevant.

17 × (3) (intro.) The ~~corporation~~ department shall do all of the following:

18 **History:** 1987 a. 328; 1989 a. 31, 336; 1993 a. ~~16~~; 1995 a. 209; 1997 a. 27, 39, 103; 2009 a. 2, 87; 2011 a. 32 s. 3419; Stats. 2011 s. 238.31.

19 **SECTION 364.** 238.315 of the statutes is renumbered 555.315 and amended to
read:

20 × **555.315 Invitation to nominate area.** If the ~~corporation~~ department
21 determines that an area has experienced or is about to experience economic distress,
22 the ~~corporation~~ department may invite local governing bodies in the area to
23 nominate the area as a development zone.

History: 1997 a. 103; 2011 a. 32 s. 3420; Stats. 2011 s. 238.315.