



State of Wisconsin  
2015 - 2016 LEGISLATURE

By Wed, 10/14 Thurs

LRB-3225/PT  
MPG&AJM:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

JAV

See pages: 5, 12, 16,  
110, 111

(PE)

Zegon

1 AN ACT *to repeal* 13.48 (10) (b) 6., 13.48 (12) (b) 5., 15.107 (20), 16.35, 19.42 (10)  
2 (sm), 19.42 (13) (om), 20.192 (intro.), 20.192 (1) (k), 40.02 (54) (m), 70.11 (38r),  
3 chapter 238 (title), 238.01 (1), 238.01 (2), 238.02, 238.03 (4), 238.04, 238.045,  
4 238.046, 238.05, 238.06, 238.08, 238.09 and 238.123; *to renumber* 16.295,  
5 16.309, 20.192 (1) (title), subchapter I (title) of chapter 238 [precedes 238.01],  
6 238.01 (intro.), 238.01 (3) and subchapter II (title) of chapter 238 [precedes  
7 238.30]; *to renumber and amend* 20.192 (1) (a), 20.192 (1) (m), 20.192 (1) (r),  
8 20.192 (1) (s), 20.505 (1) (fm), 238.03 (title) and (1) to (3), 238.07, 238.10, 238.11,  
9 238.115, 238.12, 238.125, 238.127, 238.13, 238.133, 238.135, 238.14, 238.145,  
10 238.15, 238.16, 238.17, 238.23, 238.25, 238.26, 238.30, 238.301, 238.302,  
11 238.303, 238.304, 238.3045, 238.305, 238.306, 238.308, 238.31, 238.315,  
12 238.32, 238.325, 238.335, 238.34, 238.345, 238.35, 238.363, 238.365, 238.368,  
13 238.37, 238.38, 238.385, 238.395, 238.397, 238.398, 238.399 and 238.3995; *to*  
14 *amend* 1.12 (1) (b), 13.172 (1), 13.48 (13) (a), 13.62 (2), 13.625 (9), 13.94 (1) (dr),  
15 13.94 (1) (ms), 13.94 (1s) (c) 5., 13.94 (4) (a) 1., 13.95 (intro.), 16.002 (2), 16.004

1 (4), 16.004 (5), 16.045 (1) (a), 16.41 (4), 16.417 (1) (b), 16.52 (7), 16.528 (1) (a),  
2 16.53 (2), 16.54 (9) (a) 1., 16.85 (2), 16.865 (8), 19.56 (2) (b) 6., 19.56 (3) (e)  
3 (intro.), 19.56 (3) (e) 1., 19.56 (3) (f), 19.57, 20.370 (2) (mr), 23.167 (2) (intro.),  
4 23.169 (1), 23.169 (2), 25.17 (70) (d), 25.17 (72), 26.37 (1) (b), 26.37 (2), 30.121  
5 (3w) (b), 36.09 (1) (am) (intro.), 36.11 (29r) (b) 1., 36.11 (29r) (b) 2., 36.25 (24),  
6 38.04 (1m) (b) (intro.), 38.04 (10m) (a), 38.04 (10m) (b), 40.05 (4) (b), 40.05 (4)  
7 (bm), 40.05 (5) (b) 4., 40.62 (2), 40.95 (1) (a) 1., 41.11 (1g) (b) (intro.), 41.11 (1r)  
8 (a), 41.11 (1r) (b), 59.57 (1) (a), 60.23 (4) (c), 66.1103 (4m) (a) 1., 66.1103 (4m) (a)  
9 2., 66.1103 (4m) (b), 66.1103 (4s) (a) 1., 66.1103 (4s) (b) 3., 66.1103 (4s) (b) 4.,  
10 66.1103 (4s) (d), 66.1103 (10) (c), 66.1103 (10) (g), 71.07 (2dm) (a) 1., 71.07 (2dm)  
11 (a) 3., 71.07 (2dm) (a) 4., 71.07 (2dm) (f) 1., 71.07 (2dm) (f) 2., 71.07 (2dm) (i),  
12 71.07 (2dm) (j), 71.07 (2dm) (k), 71.07 (2dx) (a) 2., 71.07 (2dx) (a) 4., 71.07 (2dx)  
13 (b) (intro.), 2. and 3., 71.07 (2dx) (b) 4. and 5., 71.07 (2dx) (be), 71.07 (2dx) (bg),  
14 71.07 (2dx) (c), 71.07 (2dx) (d), 71.07 (2dy) (a), 71.07 (2dy) (b), 71.07 (2dy) (c) 1.,  
15 71.07 (2dy) (c) 2., 71.07 (2dy) (d) 2., 71.07 (3g) (a) (intro.), 71.07 (3g) (b), 71.07  
16 (3g) (e) 2., 71.07 (3g) (f) 1., 71.07 (3g) (f) 2., 71.07 (3q) (a) 1., 71.07 (3q) (a) 2., 71.07  
17 (3q) (b) (intro.), 71.07 (3q) (b) 1., 71.07 (3q) (b) 2., 71.07 (3q) (c) 2., 71.07 (3q) (c)  
18 3., 71.07 (3w) (a) 2., 71.07 (3w) (a) 3., 71.07 (3w) (a) 4., 71.07 (3w) (a) 5d., 71.07  
19 (3w) (a) 5e., 71.07 (3w) (b) (intro.), 71.07 (3w) (b) 5., 71.07 (3w) (bm) 1., 71.07  
20 (3w) (bm) 2., 71.07 (3w) (bm) 3., 71.07 (3w) (bm) 4., 71.07 (3w) (c) 3., 71.07 (3w)  
21 (d), 71.07 (3y) (a) 1., 71.07 (3y) (a) 2., 71.07 (3y) (b) (intro.), 71.07 (3y) (b) 1., 71.07  
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23 71.07 (5b) (a) 2., 71.07 (5b) (b) 1., 71.07 (5b) (b) 2., 71.07 (5b) (d) 3., 71.07 (5d)  
24 (a) 1. (intro.), 71.07 (5d) (a) 2m., 71.07 (5d) (a) 3., 71.07 (5d) (b) (intro.), 71.07  
25 (5d) (b) 1., 71.07 (5d) (b) 2., 71.07 (5d) (c) 2., 71.07 (5d) (d) 1., 71.07 (9m) (c)

1 (intro.), 71.26 (1) (be), 71.28 (1dm) (a) 1., 71.28 (1dm) (a) 3., 71.28 (1dm) (a) 4.,  
2 71.28 (1dm) (f) 1., 71.28 (1dm) (f) 2., 71.28 (1dm) (i), 71.28 (1dm) (j), 71.28 (1dm)  
3 (k), 71.28 (1dx) (a) 2., 71.28 (1dx) (a) 4., 71.28 (1dx) (b) (intro.), 71.28 (1dx) (b)  
4 2., 71.28 (1dx) (b) 3., 71.28 (1dx) (b) 4., 71.28 (1dx) (b) 5., 71.28 (1dx) (be), 71.28  
5 (1dx) (bg), 71.28 (1dx) (c), 71.28 (1dx) (d), 71.28 (1dy) (a), 71.28 (1dy) (b), 71.28  
6 (1dy) (c) 1., 71.28 (1dy) (c) 2., 71.28 (1dy) (d) 2., 71.28 (3g) (a) (intro.), 71.28 (3g)  
7 (b), 71.28 (3g) (e) 2., 71.28 (3g) (f) 1., 71.28 (3g) (f) 2., 71.28 (3q) (a) 1., 71.28 (3q)  
8 (a) 2., 71.28 (3q) (b), 71.28 (3q) (c) 2., 71.28 (3q) (c) 3., 71.28 (3w) (a) 2., 71.28 (3w)  
9 (a) 3., 71.28 (3w) (a) 4., 71.28 (3w) (a) 5d., 71.28 (3w) (a) 5e., 71.28 (3w) (b)  
10 (intro.), 71.28 (3w) (b) 5., 71.28 (3w) (bm) 1., 71.28 (3w) (bm) 2., 71.28 (3w) (bm)  
11 3., 71.28 (3w) (bm) 4., 71.28 (3w) (c) 3., 71.28 (3w) (d), 71.28 (3y) (a) 1., 71.28 (3y)  
12 (a) 2., 71.28 (3y) (b) (intro.), 71.28 (3y) (b) 1., 71.28 (3y) (b) 2., 71.28 (3y) (b) 3.,  
13 71.28 (3y) (b) 4., 71.28 (3y) (b) 5., 71.28 (3y) (c) 2., 71.28 (4) (am) 1., 71.28 (4) (am)  
14 2., 71.28 (5b) (a) 2., 71.28 (5b) (b) 1., 71.28 (5b) (b) 2., 71.28 (5b) (d) 3., 71.28 (6)  
15 (c) (intro.), 71.47 (1dm) (a) 1., 71.47 (1dm) (a) 3., 71.47 (1dm) (a) 4., 71.47 (1dm)  
16 (f) 1., 71.47 (1dm) (f) 2., 71.47 (1dm) (i), 71.47 (1dm) (j), 71.47 (1dm) (k), 71.47  
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18 (1dx) (b) 3., 71.47 (1dx) (b) 4., 71.47 (1dx) (b) 5., 71.47 (1dx) (be), 71.47 (1dx) (bg),  
19 71.47 (1dx) (c), 71.47 (1dx) (d), 71.47 (1dy) (a), 71.47 (1dy) (b), 71.47 (1dy) (c) 1.,  
20 71.47 (1dy) (c) 2., 71.47 (1dy) (d) 2., 71.47 (3g) (a) (intro.), 71.47 (3g) (b), 71.47  
21 (3g) (e) 2., 71.47 (3g) (f) 1., 71.47 (3g) (f) 2., 71.47 (3q) (a) 1., 71.47 (3q) (a) 2., 71.47  
22 (3q) (b) (intro.), 71.47 (3q) (b) 1., 71.47 (3q) (b) 2., 71.47 (3q) (c) 2., 71.47 (3q) (c)  
23 3., 71.47 (3w) (a) 2., 71.47 (3w) (a) 3., 71.47 (3w) (a) 4., 71.47 (3w) (a) 5d., 71.47  
24 (3w) (a) 5e., 71.47 (3w) (b) (intro.), 71.47 (3w) (b) 5., 71.47 (3w) (bm) 1., 71.47  
25 (3w) (bm) 2., 71.47 (3w) (bm) 3., 71.47 (3w) (bm) 4., 71.47 (3w) (c) 3., 71.47 (3w)

1 (d), 71.47 (3y) (a) 1., 71.47 (3y) (a) 2., 71.47 (3y) (b) (intro.), 71.47 (3y) (b) 1., 71.47  
2 (3y) (b) 2., 71.47 (3y) (b) 3., 71.47 (3y) (b) 4., 71.47 (3y) (b) 5., 71.47 (3y) (c) 2.,  
3 71.47 (4) (am), 71.47 (5b) (a) 2., 71.47 (5b) (b) 1., 71.47 (5b) (b) 2., 71.47 (5b) (d)  
4 3., 71.47 (6) (c) (intro.), 71.78 (4) (m), 73.03 (35), 73.03 (35m), 75.106 (1) (a),  
5 76.636 (1) (b) 1., 76.636 (1) (b) 2., 76.636 (1) (b) 3., 76.636 (1) (b) 4., 76.636 (1)  
6 (d), 76.636 (2) (intro.), 76.636 (2) (b), 76.636 (2) (c), 76.636 (2) (d), 76.636 (2) (e),  
7 76.636 (4) (intro.), 76.636 (5), 76.636 (6), 76.637 (1), 76.637 (2), 76.637 (3),  
8 76.637 (4), 76.638 (1), 76.638 (2), 77.54 (9a) (a), 79.04 (7) (a), 84.01 (6m) (b)  
9 (intro.), 84.01 (11m) (a), 84.01 (11m) (b), 93.07 (3), 93.07 (18) (b) (intro.), 93.07  
10 (20) (a), 93.07 (20) (b), 93.33 (5) (intro.), 93.42 (5), 100.45 (1) (dm), 106.16 (3),  
11 106.27 (2m), 114.31 (6), 196.49 (4), 196.491 (3) (a) 2m. b., 196.491 (3) (d) 8.,  
12 230.03 (3), 230.81 (2), 234.02 (1), 234.032 (2) (intro.), 234.08 (5), 234.08 (6),  
13 234.255 (1), 234.255 (2), 234.84 (1), 234.84 (3) (c), 234.84 (4) (a), 234.84 (5) (a),  
14 234.84 (5) (b), 234.932 (3) (c), 281.60 (6), 281.75 (4) (b) 3., 285.59 (1) (b), 292.11  
15 (7) (d) 1m. b., 292.255 and 292.63 (4) (cc) 2. b.; and *to create* 13.94 (1) (ds), 13.94  
16 (1s) (c) 5m., 15.107 (20), 15.15, 15.155, 16.35, 20.143 (intro.), 20.143 (1) (g),  
17 20.143 (1) (gm), 20.505 (1) (zr), 230.81 (4), chapter 555 (title), 555.01 (1), 555.01  
18 (3), 555.07 (2) (i), 555.095, 555.12 (1) (a), 555.12 (2) (b), 555.12 (2) (c), 555.121,  
19 555.122 and subchapter III of chapter 555 [precedes 555.40] of the statutes;  
20 **relating to:** creating the Department of Economic Opportunity and the  
21 Economic Development Policy Board, requiring the creation of a nonstock,  
22 nonprofit corporation to be known as the Badger Innovation Corporation,  
23 providing for the elimination of the Wisconsin Economic Development  
24 Corporation and the transfer its functions to the Department of Economic

- 1 Opportunity and the Badger Innovation Corporation, granting rule-making  
2 authority, and making appropriations.

***Analysis by the Legislative Reference Bureau***

This bill provides for the elimination of the Wisconsin Economic Development Corporation (WEDC) and the transfer of its functions to a new Department of Economic Opportunity (DEO) and a nonstock, nonprofit corporation to be known as the “Badger Innovation Corporation.” The bill’s provisions become effective only if a transition plan is enacted as a part of the 2017–19 biennial budget act.

***Transition***

The bill creates an Economic Development Transition Council (transition council) to effect the transition of WEDC’s functions to DEO and the Badger Innovation Corporation. The transition council consists of the following members:

1. Five members appointed by the governor.
2. One member appointed jointly by the speaker of the assembly and the minority leader of the assembly.
3. One member appointed jointly by the majority leader and minority leader of the senate.
4. The chief executive officer, chief operating officer, and chief financial officer of WEDC.
5. The secretary of administration.
6. The secretary of revenue.

The members appointed by the governor and legislators are required to be representatives of local and regional economic development agencies.

The bill requires the transition council to develop a detailed plan for the transfer of WEDC’s duties, powers, and functions to DEO and the Badger Innovation Corporation. The transition council is required to submit the transition plan to the governor within 12 months after the bill is enacted, and the bill requires the governor to include the transition plan as a part of the executive budget for the 2017–19 fiscal biennium. If the transition plan or a version of it is enacted as a part of the 2017–19 biennial budget act, the transition plan takes effect approximately six months after enactment of the 2017–19 biennial budget act, unless the legislature specifies a different effective date. If the transition plan is not enacted as a part of the 2017–19 biennial budget act, this bill, in its entirety, is ineffective.

***Department of Economic Opportunity***

Under the bill, DEO assumes most of WEDC’s functions related to economic development, including reporting requirements. The bill also includes new responsibilities for DEO, including the following:

1. DEO emphasizes economic development programs that encourage entrepreneurship, new business start-ups, and woman-owned, disabled-veteran owned, and minority businesses.
2. DEO must post on its Internet site DEO’s job creation and retention goals; all amendments to contracts executed under an economic development program of

DEO; and all agendas, meeting minutes, and materials discussed for meetings of the Economic Development Policy Board, described below, and the board of directors of the Badger Innovation Corporation.

3. DEO's contract with a grant or loan recipient, or with a person DEO certifies to claim tax credits, must include a provision requiring the recipient to repay all or a portion of the grant, loan, or tax credits if, within five years after receiving the grant or loan or being certified to receive tax credits, the total number of employees the recipient employs in full-time jobs in Wisconsin falls below the average number of employees the recipient employed in full-time jobs in Wisconsin during the previous two years. DEO is required to refer any claim for damages with respect to that contract requirement to the Department of Justice for collection.

4. DEO's contract with a grant or loan recipient, or with a person DEO certifies to claim tax credits, must include a provision requiring the recipient to repay all or a portion of the grant, loan, or tax credits if, within five years after the contract terms have been completed, the person eliminates any full-time job in this state that was created as a result of the grant, loan, or tax credits. DEO is also required to refer any claim for damages with respect to that contract requirement to the Department of Justice for collection.

5. In its annual report to the legislature, DEO must include the number of businesses or other persons against whom DEO, or WEDC under previous law, has initiated an action because the business or other person was not in compliance with contract requirements under an economic development program administered by DEO, or WEDC under previous law, and the total dollar amount that has been recovered to date as a result of those actions.

6. Before DEO executes a contract awarding a grant, loan, or tax credit to a person, DEO must conduct a thorough background check of the person that includes information concerning the person's business performance and a review of any legal proceedings in which the person is or was a party.

7. DEO must cooperate with the Badger Innovation Corporation to carry out the corporation's economic development duties, described below.

The bill also creates the Economic Development Policy Board (board), attached to DEO for limited purposes. The board consists of 12 members nominated by the governor and appointed with senate confirmation for staggered three-year terms. The members must have expertise in banking, business financing, and public economic development administration, and must represent private business and related stakeholder groups. At least four of the members must have public economic development administration experience. The board's function is to assist DEO in setting major economic development policy goals for the state.

### ***Badger Innovation Corporation***

Finally, under the bill, the transition council is required to draft and file articles of incorporation creating the Badger Innovation Corporation as a private nonstock, nonprofit corporation and draft bylaws for adoption by the board of directors of the corporation. The composition of the board of directors for the Badger Innovation Corporation is as follows:

1. The secretary of DEO, who acts as chairperson.

2. One representative to the assembly appointed by the speaker of the assembly.
3. One representative to the assembly appointed by the minority leader of the assembly.
4. One senator appointed by the majority leader of the senate.
5. One senator appointed by the minority leader of the senate.
6. Nine members nominated by the governor and appointed with senate confirmation for staggered three-year terms. The members so appointed must represent regional and local economic development agencies, private business, and other related stakeholder groups.
7. The secretaries of administration, revenue, and workforce development, who shall serve as nonvoting members.

The bill contains a number of requirements imposed on the Badger Innovation Corporation as a condition for the corporation to receive aid under a state appropriation. Among other things, the Badger Innovation Corporation must do the following:

1. Develop and implement economic programs to provide business support and expertise and financial assistance to companies that are investing and creating jobs in Wisconsin and to support new business start-ups and business expansion and growth in Wisconsin.
2. Conduct foreign trade missions, business siting promotion, international business development, and marketing.
3. Create industry cluster development strategies.
4. Adopt the bylaws for the corporation drafted by the transition council and maintain the required composition and method of selection of the corporation's board of directors.
5. Provide public access to its records consistent with the state public records law.
6. Provide public access to its meetings consistent with the state open meetings law.
7. Fully cooperate with the Legislative Audit Bureau for purposes of a biennial financial audit and program evaluation audit of the corporation.

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

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

- 1           **SECTION 1.** 1.12 (1) (b) of the statutes is amended to read:
- 2           1.12 (1) (b) "State agency" means an office, department, agency, institution of
- 3           higher education, the legislature, a legislative service agency, the courts, a judicial

**SECTION 1**

1 branch agency, an association, society, or other body in state government that is  
2 created or authorized to be created by the constitution or by law, for which  
3 appropriations are made by law, ~~excluding the Wisconsin Economic Development~~  
4 ~~Corporation.~~

5 **SECTION 2.** 13.172 (1) of the statutes is amended to read:

6 13.172 (1) In this section, “agency” means an 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, that  
9 is entitled to expend moneys appropriated by law, including the legislature and the  
10 courts, and any authority created in subch. II of ch. 114 or in ch. 231, 233, 234, ~~238,~~  
11 or 279.

12 **SECTION 3.** 13.48 (10) (b) 6. of the statutes is repealed.

13 **SECTION 4.** 13.48 (12) (b) 5. of the statutes is repealed.

14 **SECTION 5.** 13.48 (13) (a) of the statutes is amended to read:

15 13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or  
16 facility that is constructed for the benefit of or use of the state, any state agency,  
17 board, commission or department, the University of Wisconsin Hospitals and Clinics  
18 Authority, the Fox River Navigational System Authority, ~~the Wisconsin Economic~~  
19 ~~Development Corporation,~~ or any local professional baseball park district created  
20 under subch. III of ch. 229 if the construction is undertaken by the department of  
21 administration on behalf of the district, shall be in compliance with all applicable  
22 state laws, rules, codes and regulations but the construction is not subject to the  
23 ordinances or regulations of the municipality in which the construction takes place  
24 except zoning, including without limitation because of enumeration ordinances or



1 regulations relating to materials used, permits, supervision of construction or  
2 installation, payment of permit fees, or other restrictions.

3 **SECTION 6.** 13.62 (2) of the statutes is amended to read:

4 13.62 (2) “Agency” means any board, commission, department, office, society,  
5 institution of higher education, council, or committee in the state government, or any  
6 authority created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237, ~~238~~, or 279,  
7 except that the term does not include a council or committee of the legislature.

8 **SECTION 7.** 13.625 (9) of the statutes is amended to read:

9 13.625 (9) This section does not apply to the solicitation, acceptance, or  
10 furnishing of anything of pecuniary value by the ~~Wisconsin Economic Development~~  
11 ~~Corporation~~ department of economic opportunity, or to a principal furnishing  
12 anything of pecuniary value to the ~~Wisconsin Economic Development Corporation~~  
13 department of economic opportunity, under s. 19.56 (3) (e) or (f) for the activities  
14 specified in s. 19.56 (3) (e).

15 **SECTION 8.** 13.94 (1) (dr) of the statutes is amended to read:

16 13.94 (1) (dr) Biennially, ~~beginning in 2013~~, conduct a financial audit of the  
17 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity  
18 and a program evaluation audit of the economic development programs  
19 administered by the ~~Wisconsin Economic Development Corporation~~ department of  
20 economic opportunity under ch. ~~238~~ 555. The legislative audit bureau shall file a  
21 copy of each audit report under this paragraph with the distributees specified in par.  
22 (b).

23 **SECTION 9.** 13.94 (1) (ds) of the statutes is created to read:

24 13.94 (1) (ds) 1. In this paragraph and in sub. (1s) (c) 5m., “Badger Innovation  
25 Corporation” means the corporation specified in s. 16.35 (3).

**SECTION 9**

1           2. Each odd-numbered year, conduct a financial audit of the Badger Innovation  
2 Corporation and a program evaluation audit of the economic development programs  
3 conducted by the Badger Innovation Corporation under its contract with the  
4 department of economic opportunity. The legislative audit bureau shall file a copy  
5 of each audit report under this subdivision with the distributees specified in par. (b).

6           **SECTION 10.** 13.94 (1) (ms) of the statutes is amended to read:

7           13.94 (1) (ms) No later than July 1, 2014, prepare a financial and performance  
8 evaluation audit of the economic development tax benefit program under ss. ~~238.301~~  
9 555.301 to ~~238.306~~ 555.306. The legislative audit bureau shall file a copy of the  
10 report of the audit under this paragraph with the distributees specified in par. (b).

11           **SECTION 11.** 13.94 (1s) (c) 5. of the statutes is amended to read:

12           13.94 (1s) (c) 5. The ~~Wisconsin Economic Development Corporation~~  
13 department of economic opportunity for the cost of the audit required to be performed  
14 under sub. (1) (dr).

15           **SECTION 12.** 13.94 (1s) (c) 5m. of the statutes is created to read:

16           13.94 (1s) (c) 5m. The Badger Innovation Corporation for the cost of the audit  
17 required to be performed under sub. (1) (ds).

18           **SECTION 13.** 13.94 (4) (a) 1. of the statutes is amended to read:

19           13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
20 credentialing board, commission, independent agency, council or office in the  
21 executive branch of state government; all bodies created by the legislature in the  
22 legislative or judicial branch of state government; any public body corporate and  
23 politic created by the legislature including specifically the Fox River Navigational  
24 System Authority, the Lower Fox River Remediation Authority, the Wisconsin  
25 Aerospace Authority, ~~the Wisconsin Economic Development Corporation,~~ a

1 professional baseball park district, a local professional football stadium district, a  
2 local cultural arts district and a long-term care district under s. 46.2895; every  
3 Wisconsin works agency under subch. III of ch. 49; every provider of medical  
4 assistance under subch. IV of ch. 49; technical college district boards; every county  
5 department under s. 51.42 or 51.437; every nonprofit corporation or cooperative or  
6 unincorporated cooperative association to which moneys are specifically  
7 appropriated by state law; and every corporation, institution, association or other  
8 organization which receives more than 50% of its annual budget from appropriations  
9 made by state law, including subgrantee or subcontractor recipients of such funds.

10 **SECTION 14.** 13.95 (intro.) of the statutes is amended to read:

11 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be  
12 known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau  
13 shall be strictly nonpartisan and shall at all times observe the confidential nature  
14 of the research requests received by it; however, with the prior approval of the  
15 requester in each instance, the bureau may duplicate the results of its research for  
16 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's  
17 designated employees shall at all times, with or without notice, have access to all  
18 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the  
19 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, ~~the~~  
20 ~~Wisconsin Economic Development Corporation,~~ and the Fox River Navigational  
21 System Authority, and to any books, records, or other documents maintained by such  
22 agencies or authorities and relating to their expenditures, revenues, operations, and  
23 structure.

24 **SECTION 15.** 15.107 (20) of the statutes is created to read:

1           15.107 (20) ECONOMIC DEVELOPMENT TRANSITION COUNCIL. (a) There is created  
2 an economic development transition council, attached to the department of  
3 administration under s. 15.03.

4           (b) The council consists of 12 members as follows:

5           1. Five members appointed by the governor.

6           2. One member appointed jointly by the speaker of the assembly and the  
7 minority leader of the assembly.

8           3. One member appointed jointly by the majority leader and the minority  
9 leader of the senate.

10          4. The chief executive officer, chief operating officer, and chief financial officer  
11 of the Wisconsin Economic Development Corporation.

12          5. The secretary of administration.

13          6. The secretary of revenue.

14          (c) The members appointed under par. (b) 1. ~~to 3.~~ shall ~~be~~ <sup>include</sup> representatives of  
15 local and regional economic development agencies.

16          (d) The Wisconsin Economic Development Corporation shall provide staffing  
17 and facilities for the council.

18          (e) The council shall be dissolved on January 1, 2019.

19          **SECTION 16.** 15.107 (20) of the statutes, as created by 2015 Wisconsin Act ....  
20 (this act), is repealed.

21          **SECTION 17.** 15.15 of the statutes is created to read:

22          **15.15 Department of economic opportunity; creation.** There is created  
23 a department of economic opportunity under the direction and supervision of the  
24 secretary of economic opportunity.

25          **SECTION 18.** 15.155 of the statutes is created to read:

1           **15.155 Same; attached boards and commissions.** (1) ECONOMIC  
2 DEVELOPMENT POLICY BOARD. (a) There is created an economic development policy  
3 board attached to the department of economic opportunity under s. 15.03 consisting  
4 of 12 members nominated by the governor and, with the advice and consent of the  
5 senate, appointed for staggered 3-year terms.

6           (b) The members appointed under par. (a) shall have expertise in banking,  
7 business financing, and public economic development administration, and shall  
8 represent private business and related stakeholder groups. At least 4 of those  
9 members shall have public economic development administration experience.

10           (c) The economic development policy board shall assist the department of  
11 economic opportunity in setting major economic development policy goals for the  
12 state.

13           **SECTION 19.** 16.002 (2) of the statutes is amended to read:

14           16.002 (2) “Departments” means constitutional offices, departments, and  
15 independent agencies and includes all societies, associations, and other agencies of  
16 state government for which appropriations are made by law, but not including  
17 authorities created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237, 238, or 279.

18           **SECTION 20.** 16.004 (4) of the statutes is amended to read:

19           16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the  
20 department as the secretary designates may enter into the offices of state agencies  
21 and authorities created under subch. II of ch. 114 and under chs. 231, 233, 234, 237,  
22 238, and 279, and may examine their books and accounts and any other matter that  
23 in the secretary’s judgment should be examined and may interrogate the agency’s  
24 employees publicly or privately relative thereto.

25           **SECTION 21.** 16.004 (5) of the statutes is amended to read:

**SECTION 21**

1           16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and  
2 authorities created under subch. II of ch. 114 and under chs. 231, 233, 234, 237, ~~238~~,  
3 and 279, and their officers and employees, shall cooperate with the secretary and  
4 shall comply with every request of the secretary relating to his or her functions.

5           **SECTION 22.** 16.045 (1) (a) of the statutes is amended to read:

6           16.045 (1) (a) “Agency” means an office, department, independent 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, that  
9 is entitled to expend moneys appropriated by law, including the legislature and the  
10 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 232,  
11 233, 234, 237, ~~238~~, or 279.

12           **SECTION 23.** 16.295 of the statutes is renumbered 555.155.

13           **SECTION 24.** 16.309 of the statutes is renumbered 555.129.

14           **SECTION 25.** 16.35 of the statutes is created to read:

15           **16.35 Economic development transition council.** (1) DEFINITIONS. In this  
16 section:

17           (a) “Badger Innovation Corporation” means the corporation specified in sub.  
18 (3).

19           (b) “Department” means the department of economic opportunity, as created  
20 in 2015 Wisconsin Act .... (this act).

21           (c) “Transition council” means the economic development transition council.

22           (d) “Transition plan” means the plan created under sub. (2) (a).

23           (2) TRANSITION PLAN. (a) The transition council shall develop a detailed plan  
24 for the transfer of the Wisconsin Economic Development Corporation’s duties,

1 powers, and functions to the department and the Badger Innovation Corporation.

2 The plan shall include all of the following:

3 1. An organizational plan for the department and the Badger Innovation  
4 Corporation.

5 2. A plan for the transfer of all assets and liabilities of the Wisconsin Economic  
6 Development Corporation to the department and the Badger Innovation  
7 Corporation

8 3. A plan for the transfer of employees of the Wisconsin Economic Development  
9 Corporation to the department or the Badger Innovation Corporation.

10 4. A plan for the transfer of tangible personal property of the Wisconsin  
11 Economic Development Corporation to the department or the Badger Innovation  
12 Corporation.

13 5. A plan for the transfer of all matters pending with the Wisconsin Economic  
14 Development Corporation to the department or the Badger Innovation Corporation.  
15 The plan under this subdivision shall provide that all materials submitted to or  
16 actions taken by the Wisconsin Economic Development Corporation with respect to  
17 the pending matter are considered as having been submitted to or taken by the  
18 department or the Badger Innovation Corporation, as appropriate.

19 6. A plan for the transfer of all contracts entered into by the Wisconsin  
20 Economic Development Corporation, and all contracts entered into by the former  
21 department of commerce and maintained by the Wisconsin Economic Development  
22 Corporation, to the department or the Badger Innovation Corporation. The plan  
23 under this subdivision shall provide that the contracts remain in effect and that the  
24 department or the Badger Innovation Corporation, as appropriate, shall carry out  
25 any obligations under such a contract until the contract is modified or rescinded by

1 the department or the Badger Innovation Corporation, as appropriate, to the extent  
2 allowed under the contract.

3 7. A plan for the transfer of policies and procedures and orders of the Wisconsin  
4 Economic Development Corporation to the department or the Badger Innovation  
5 Corporation. The plan under this subdivision shall provide that the transferred  
6 policies and procedures remain in effect until their specified expiration dates or until  
7 amended or repealed by the department or the Badger Innovation Corporation, as  
8 appropriate, and that all orders issued by the Wisconsin Economic Development  
9 Corporation remain in effect until their specified expiration dates or until modified  
10 or rescinded by the department or the Badger Innovation Corporation, as  
11 appropriate.

12 (b) 1. The transition council shall submit the transition plan to the governor  
13 within 12 months after the effective date of this subdivision .... [LRB inserts date].

14 2. The governor shall include the transition plan submitted by the transition  
15 council under subd. 1. as a part of the governor's executive budget for the 2017-19  
16 fiscal biennium.

17 3. If the transition plan or a version of it is enacted as a part of the 2017-19  
18 biennial budget act, and unless a different effective date is provided in the 2017-19  
19 biennial budget act, the transition plan as enacted shall take effect on the first day  
20 of the 7th month beginning after publication of the 2017-19 biennial budget act. The  
21 chairperson of the transition council shall send a notice to the legislative reference  
22 bureau for publication in the Wisconsin Administrative Register that confirms  
23 enactment of the transition plan and states the effective date of the transition plan  
24 as enacted.

The Joint Committee on Finance may approve an extension of that deadline if requested



1           **(3) BADGER INNOVATION CORPORATION; CREATION.** The transition council shall do  
2 all of the following:

3           (a) Draft and file articles of incorporation for a nonstock corporation under ch.  
4 181 and take all actions necessary to exempt the corporation from federal taxation  
5 under section 501 (c) (3) of the Internal Revenue Code.

6           (b) Draft bylaws for adoption by the initial board of directors of the Badger  
7 Innovation Corporation under s. 181.0206 (2). The bylaws shall specify the method  
8 of selection and composition of the board of directors required under s. 555.42.

9           **SECTION 26.** 16.35 of the statutes, as created by 2015 Wisconsin Act .... (this  
10 act), is repealed.

11           **SECTION 27.** 16.41 (4) of the statutes is amended to read:

12           16.41 (4) In this section, “authority” means a body created under subch. II of  
13 ch. 114 or under ch. 231, 233, 234, 237, ~~238~~, or 279.

14           **SECTION 28.** 16.417 (1) (b) of the statutes is amended to read:

15           16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or  
16 ch. 231, 232, 233, 234, 237, ~~238~~, or 279.

17           **SECTION 29.** 16.52 (7) of the statutes is amended to read:

18           16.52 (7) **PETTY CASH ACCOUNT.** With the approval of the secretary, each agency  
19 that is authorized to maintain a contingent fund under s. 20.920 may establish a  
20 petty cash account from its contingent fund. The procedure for operation and  
21 maintenance of petty cash accounts and the character of expenditures therefrom  
22 shall be prescribed by the secretary. In this subsection, “agency” means an office,  
23 department, independent agency, institution of higher education, association,  
24 society, or other body in state government created or authorized to be created by the  
25 constitution or any law, that is entitled to expend moneys appropriated by law,

1 including the legislature and the courts, but not including an authority created in  
2 subch. II of ch. 114 or in ch. 231, 233, 234, 237, 238, or 279.

3 **SECTION 30.** 16.528 (1) (a) of the statutes is amended to read:

4 16.528 (1) (a) “Agency” means an office, department, independent agency,  
5 institution of higher education, association, society, or other body in state  
6 government created or authorized to be created by the constitution or any law, that  
7 is entitled to expend moneys appropriated by law, including the legislature and the  
8 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233,  
9 234, 237, 238, or 279.

10 **SECTION 31.** 16.53 (2) of the statutes is amended to read:

11 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed  
12 invoice, the agency shall notify the sender of the invoice within 10 working days after  
13 it receives the invoice of the reason it is improperly completed. In this subsection,  
14 “agency” means an office, department, independent agency, institution of higher  
15 education, association, society, or other body in state government created or  
16 authorized to be created by the constitution or any law, that is entitled to expend  
17 moneys appropriated by law, including the legislature and the courts, but not  
18 including an authority created in subch. II of ch. 114 or in ch. 231, 233, 234, 237, 238,  
19 or 279.

20 **SECTION 32.** 16.54 (9) (a) 1. of the statutes is amended to read:

21 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,  
22 institution of higher education, association, society or other body in state  
23 government created or authorized to be created by the constitution or any law, which  
24 is entitled to expend moneys appropriated by law, including the legislature and the

1 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233,  
2 234, 237, ~~238~~, or 279.

3 **SECTION 33.** 16.85 (2) of the statutes is amended to read:

4 16.85 (2) To furnish engineering, architectural, project management, and other  
5 building construction services whenever requisitions therefor are presented to the  
6 department by any agency. The department may deposit moneys received from the  
7 provision of these services in the account under s. 20.505 (1) (kc) or in the general  
8 fund as general purpose revenue — earned. In this subsection, “agency” means an  
9 office, department, independent agency, institution of higher education, association,  
10 society, or other body in state government created or authorized to be created by the  
11 constitution or any law, which is entitled to expend moneys appropriated by law,  
12 including the legislature and the courts, but not including an authority created in  
13 subch. II of ch. 114 or in ch. 231, 233, 234, 237, ~~238~~, or 279.

14 **SECTION 34.** 16.865 (8) of the statutes is amended to read:

15 16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a  
16 proportionate share of the estimated costs attributable to programs administered by  
17 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department  
18 may charge premiums to agencies to finance costs under this subsection and pay the  
19 costs from the appropriation on an actual basis. The department shall deposit all  
20 collections under this subsection in the appropriation account under s. 20.505 (2) (k).  
21 Costs assessed under this subsection may include judgments, investigative and  
22 adjustment fees, data processing and staff support costs, program administration  
23 costs, litigation costs, and the cost of insurance contracts under sub. (5). In this  
24 subsection, “agency” means an office, department, independent agency, institution  
25 of higher education, association, society, or other body in state government created

1 or authorized to be created by the constitution or any law, that is entitled to expend  
2 moneys appropriated by law, including the legislature and the courts, but not  
3 including an authority created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237,  
4 238, or 279.

5 **SECTION 35.** 19.42 (10) (sm) of the statutes is repealed.

6 **SECTION 36.** 19.42 (13) (om) of the statutes is repealed.

7 **SECTION 37.** 19.56 (2) (b) 6. of the statutes is amended to read:

8 19.56 (2) (b) 6. Is made available to the official by the ~~Wisconsin Economic~~  
9 ~~Development Corporation~~ department of economic opportunity or the department of  
10 tourism in accordance with sub. (3) (e), (em) or (f).

11 **SECTION 38.** 19.56 (3) (e) (intro.) of the statutes is amended to read:

12 19.56 (3) (e) (intro.) A state public official who is an officer or employee of the  
13 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity  
14 may solicit, receive and retain on behalf of the state anything of value for the purpose  
15 of any of the following:

16 **SECTION 39.** 19.56 (3) (e) 1. of the statutes is amended to read:

17 19.56 (3) (e) 1. The sponsorship by the ~~Wisconsin Economic Development~~  
18 ~~Corperation~~ department of economic opportunity of a trip to a foreign country  
19 primarily to promote trade between that country and this state that the ~~Wisconsin~~  
20 ~~Economic Development Corporation~~ department of economic opportunity can  
21 demonstrate through clear and convincing evidence is primarily for the benefit of  
22 this state.

23 **SECTION 40.** 19.56 (3) (f) of the statutes is amended to read:

24 19.56 (3) (f) A state public official may receive and retain from the ~~Wisconsin~~  
25 ~~Economic Development Corporation~~ department of economic opportunity anything

1 of value which the ~~Wisconsin Economic Development Corporation~~ department of  
2 economic opportunity is authorized to provide under par. (e) and may receive and  
3 retain from the department of tourism anything of value which the department of  
4 tourism is authorized to provide under par. (em).

5 **SECTION 41.** 19.57 of the statutes is amended to read:

6 **19.57 Conferences, visits and economic development activities.** The  
7 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity  
8 shall file a report with the board no later than April 30 annually, specifying the  
9 source and amount of anything of value received by the ~~Wisconsin Economic~~  
10 ~~Development Corporation~~ department of economic opportunity during the preceding  
11 calendar year for a purpose specified in s. 19.56 (3) (e), and the program or activity  
12 in connection with which the thing is received, together with the location and date  
13 of that program or activity.

14 **SECTION 42.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
15 insert the following amounts for the purposes indicated:

	<b>2015-16</b>	<b>2016-17</b>
16		
17		
18		
19		
20		
21		
22		
23		

**20.505 Administration, department of**

(1) SUPERVISION AND MANAGEMENT

19	(zr)	Badger Innovation Corporation	SEG	C	-0-	-0-
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20 **SECTION 43.** 20.143 (intro.) of the statutes is created to read:

21 **20.143 Economic opportunity; department of.** (intro.) There is  
22 appropriated to the department of economic opportunity for the following programs:

23 **SECTION 44.** 20.143 (1) (g) of the statutes is created to read:

1           20.143 (1) (g) *Gifts, grants, and proceeds.* All moneys received from gifts,  
2 donations, grants, bequests, and devises and all proceeds from services, conferences,  
3 and sales of publications and promotional materials, for the purposes for which made  
4 or collected.

5           **SECTION 45.** 20.143 (1) (gm) of the statutes is created to read:

6           20.143 (1) (gm) *Administration of grants, loans, and tax credits.* All moneys  
7 received from loan origination fees or other fees charged by the department of  
8 economic opportunity under a grant, loan, or tax credit program administered by the  
9 department of economic opportunity under ch. 555, all moneys received from  
10 repayment of grants and loans, and all moneys received under s. 555.12, for  
11 administering the grant, loan, and tax credit programs under ch. 555.

12           **SECTION 46.** 20.192 (intro.) of the statutes is repealed.

13           **SECTION 47.** 20.192 (1) (title) of the statutes is renumbered 20.143 (1) (title).

14           **SECTION 48.** 20.192 (1) (a) of the statutes is renumbered 20.143 (1) (a) and  
15 amended to read:

16           20.143 (1) (a) *Operations and programs.* As a continuing appropriation, the  
17 amounts in the schedule for the operations of the ~~Wisconsin Economic Development~~  
18 ~~Corporation~~ department of economic opportunity and for funding economic  
19 development programs developed and implemented under s. ~~238.03~~ 555.03.

20           **SECTION 49.** 20.192 (1) (k) of the statutes is repealed.

21           **SECTION 50.** 20.192 (1) (m) of the statutes is renumbered 20.143 (1) (m) and  
22 amended to read:

23           20.143 (1) (m) *Federal aid; programs.* All moneys received from the federal  
24 government as authorized by the governor under s. 16.54 and all moneys transferred  
25 under ~~2011 Wisconsin Act 32, section 9210 (3)~~, for the purposes of funding programs

1 administered by the ~~Wisconsin Economic Development Corporation~~ department of  
2 economic opportunity.

3 **SECTION 51.** 20.192 (1) (r) of the statutes, as affected by 2015 Wisconsin Act 55,  
4 is renumbered 20.143 (1) (r) and amended to read:

5 20.143 (1) (r) *Economic development fund; operations and programs.* From the  
6 economic development fund, as a continuing appropriation, the amounts in the  
7 schedule for the operations of the ~~Wisconsin Economic Development Corporation~~  
8 department of economic opportunity and for funding the economic development  
9 programs it administers.

10 **SECTION 52.** 20.192 (1) (s) of the statutes is renumbered 20.143 (1) (s) and  
11 amended to read:

12 20.143 (1) (s) *Brownfield site assessment grants.* Biennially, from the  
13 environmental fund, the amounts in the schedule for brownfield site assessment  
14 grants under s. ~~238.133~~ 555.133.

15 **SECTION 53.** 20.370 (2) (mr) of the statutes is amended to read:

16 20.370 (2) (mr) *General program operations — brownfields.* From the  
17 environmental fund, the amounts in the schedule for administration of activities  
18 related to brownfields, as defined in s. ~~238.13~~ 555.13 (1) (a).

19 **SECTION 54.** 20.505 (1) (fm) of the statutes is renumbered 20.143 (1) (fm) and  
20 amended to read:

21 20.143 (1) (fm) *Fund of funds investment program.* The amounts in the  
22 schedule for the venture capital investment program under s. ~~16-295~~ 555.155.

23 **SECTION 55.** 20.505 (1) (zr) of the statutes is created to read:

1           20.505 (1) (zr) *Badger Innovation Corporation*. As a continuing appropriation,  
2 from the economic development fund, the amounts in the schedule for the payments  
3 to the Badger Innovation Corporation under s. 555.44 (2).

4           **SECTION 56.** 23.167 (2) (intro.) of the statutes is amended to read:

5           23.167 (2) (intro.) The department, in consultation with the ~~Wisconsin~~  
6 ~~Economic Development Corporation~~ department of economic opportunity, shall do  
7 all of the following for each economic development program administered by the  
8 department:

9           **SECTION 57.** 23.169 (1) of the statutes is amended to read:

10          23.169 (1) The department shall coordinate any economic development  
11 assistance with the ~~Wisconsin Economic Development Corporation~~ department of  
12 economic opportunity.

13          **SECTION 58.** 23.169 (2) of the statutes is amended to read:

14          23.169 (2) Annually, no later than October 1, the department shall submit to  
15 the joint legislative audit committee and to the appropriate standing committees of  
16 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
17 development programs, as defined in s. 23.167 (1), administered by the department.  
18 The report shall include all of the information required under s. ~~238.07 (2)~~ 555.07 (2).  
19 The department shall collaborate with the ~~Wisconsin Economic Development~~  
20 ~~Corporation~~ department of economic opportunity to make readily accessible to the  
21 public on an Internet-based system the information required under this section.

22          **SECTION 59.** 25.17 (70) (d) of the statutes is amended to read:

23          25.17 (70) (d) Comments solicited from the ~~chief executive officer of the~~  
24 ~~Wisconsin Economic Development Corporation~~ secretary of economic opportunity  
25 and received by the board on or before November 30 of the year of submittal.



1           **SECTION 60.** 25.17 (72) of the statutes is amended to read:

2           25.17 (72) Appoint the board's representatives to the committee under s.  
3           ~~16.295~~ 555.155 (3) (a).

4           **SECTION 61.** 26.37 (1) (b) of the statutes is amended to read:

5           26.37 (1) (b) Establish an implementation committee for the consortium.  
6           Members of the committee may include one or more representatives from the  
7           department of natural resources, the ~~Wisconsin Economic Development Corporation~~  
8           department of economic opportunity, and the forest products industry.

9           **SECTION 62.** 26.37 (2) of the statutes is amended to read:

10          26.37 (2) The department of natural resources may not expend moneys from  
11          the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the  
12          department of natural resources and the ~~Wisconsin Economic Development~~  
13          ~~Corporation~~ department of economic opportunity first submit to the joint committee  
14          on finance the plan required under sub. (1). If the cochairpersons of the joint  
15          committee on finance do not notify the department of natural resources within 14  
16          working days after the date of the submittal of the plan that the committee has  
17          scheduled a meeting to review the plan, the plan may be implemented and moneys  
18          may be expended as proposed by the department of natural resources. If, within 14  
19          days after the date of the submittal of the plan, the cochairpersons of the committee  
20          notify the department of natural resources that the committee has scheduled a  
21          meeting to review the plan, moneys may be expended only after the plan has been  
22          approved by the committee.

23          **SECTION 63.** 30.121 (3w) (b) of the statutes is amended to read:

24          30.121 (3w) (b) The boathouse is located on land zoned exclusively for  
25          commercial or industrial purposes or the boathouse is located on a brownfield, as

1 defined in s. ~~238.13~~ 555.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3)  
2 (a).

3 **SECTION 64.** 36.09 (1) (am) (intro.) of the statutes is amended to read:

4 36.09 (1) (am) (intro.) The board, in consultation with the ~~Wisconsin Economic~~  
5 ~~Development Corporation~~ department of economic opportunity, shall do all of the  
6 following for each economic development program, as defined in s. 36.11 (29r) (a),  
7 administered by the board:

8 **SECTION 65.** 36.11 (29r) (b) 1. of the statutes is amended to read:

9 36.11 (29r) (b) 1. The board shall coordinate any economic development  
10 assistance with the ~~Wisconsin Economic Development Corporation~~ department of  
11 economic opportunity.

12 **SECTION 66.** 36.11 (29r) (b) 2. of the statutes is amended to read:

13 36.11 (29r) (b) 2. Annually, no later than October 1, the board shall submit to  
14 the joint legislative audit committee and to the appropriate standing committees of  
15 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
16 development programs administered by the board. The report shall include all of the  
17 information required under s. ~~238.07~~ 555.07 (2). The board shall collaborate with the  
18 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity  
19 to make readily accessible to the public on an Internet-based system the information  
20 required under this subsection.

21 **SECTION 67.** 36.25 (24) of the statutes is amended to read:

22 36.25 (24) **EMPLOYEE-OWNED BUSINESSES PROGRAM.** Through the University of  
23 Wisconsin small business development center, in cooperation with the ~~Wisconsin~~  
24 ~~Economic Development Corporation~~ department of economic opportunity, the  
25 technical college system board and the University of Wisconsin-Extension, the board

1 shall create, as needed, educational programs to provide training in the management  
2 of employee-owned businesses and shall provide technical assistance to  
3 employee-owned businesses in matters affecting their management and business  
4 operations, including assistance with governmental relations and assistance in  
5 obtaining management, technical and financial assistance.

6 **SECTION 68.** 38.04 (1m) (b) (intro.) of the statutes is amended to read:

7 38.04 (1m) (b) (intro.) The board, in consultation with the ~~Wisconsin Economic~~  
8 ~~Development Corporation~~ department of economic opportunity, shall do all of the  
9 following for each economic development program administered by the board:

10 **SECTION 69.** 38.04 (10m) (a) of the statutes is amended to read:

11 38.04 (10m) (a) The board shall coordinate any economic development  
12 assistance with the ~~Wisconsin Economic Development Corporation~~ department of  
13 economic opportunity.

14 **SECTION 70.** 38.04 (10m) (b) of the statutes is amended to read:

15 38.04 (10m) (b) Annually, no later than October 1, the board shall submit to  
16 the joint legislative audit committee and to the appropriate standing committees of  
17 the legislature under s. 13.172 (3) a comprehensive report assessing economic  
18 development programs, as defined in sub. (1m) (a), administered by the board. The  
19 report shall include all of the information required under s. ~~238.07~~ 555.07 (2). The  
20 board shall collaborate with the ~~Wisconsin Economic Development Corporation~~  
21 department of economic opportunity to make readily accessible to the public on an  
22 Internet-based system the information required under this subsection.

23 **SECTION 71.** 40.02 (54) (m) of the statutes is repealed.

24 **SECTION 72.** 40.05 (4) (b) of the statutes is amended to read:

1           40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused  
2 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, ~~238.04 (8)~~, and 757.02 (5)  
3 and subch. V of ch. 111 of any eligible employee shall, at the time of death, upon  
4 qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1)  
5 or upon termination of creditable service and qualifying as an eligible employee  
6 under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate  
7 he or she received while employed by the state, to credits for payment of health  
8 insurance premiums on behalf of the employee or the employee's surviving insured  
9 dependents. Any supplemental compensation that is paid to a state employee who  
10 is classified under the state classified civil service as a teacher, teacher supervisor,  
11 or education director for the employee's completion of educational courses that have  
12 been approved by the employee's employer is considered as part of the employee's  
13 basic pay for purposes of this paragraph. The full premium for any eligible employee  
14 who is insured at the time of retirement, or for the surviving insured dependents of  
15 an eligible employee who is deceased, shall be deducted from the credits until the  
16 credits are exhausted and paid from the account under s. 40.04 (10), and then  
17 deducted from annuity payments, if the annuity is sufficient. The department shall  
18 provide for the direct payment of premiums by the insured to the insurer if the  
19 premium to be withheld exceeds the annuity payment. Upon conversion of an  
20 employee's unused sick leave to credits under this paragraph or par. (bf), the  
21 employee or, if the employee is deceased, the employee's surviving insured  
22 dependents may initiate deductions from those credits or may elect to delay  
23 initiation of deductions from those credits, but only if the employee or surviving  
24 insured dependents are covered by a comparable health insurance plan or policy  
25 during the period beginning on the date of the conversion and ending on the date on

1 which the employee or surviving insured dependents later elect to initiate  
2 deductions from those credits. If an employee or an employee's surviving insured  
3 dependents elect to delay initiation of deductions from those credits, an employee or  
4 the employee's surviving insured dependents may only later elect to initiate  
5 deductions from those credits during the annual enrollment period under par. (be).  
6 A health insurance plan or policy is considered comparable if it provides hospital and  
7 medical benefits that are substantially equivalent to the standard health insurance  
8 plan established under s. 40.52 (1).

9 **SECTION 73.** 40.05 (4) (bm) of the statutes is amended to read:

10 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick  
11 leave under ss. 36.30 and 230.35 (2), or 233.10, or 238.04 (8) of any eligible employee  
12 shall, upon request of the employee at the time the employee is subject to layoff under  
13 s. 40.02 (40), be converted at the employee's highest basic pay rate he or she received  
14 while employed by the state to credits for payment of health insurance premiums on  
15 behalf of the employee. Any supplemental compensation that is paid to a state  
16 employee who is classified under the state classified civil service as a teacher, teacher  
17 supervisor or education director for the employee's completion of educational courses  
18 that have been approved by the employee's employer is considered as part of the  
19 employee's basic pay for purposes of this paragraph. The full amount of the required  
20 employee contribution for any eligible employee who is insured at the time of the  
21 layoff shall be deducted from the credits until the credits are exhausted, the  
22 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever  
23 occurs first.

24 **SECTION 74.** 40.05 (5) (b) 4. of the statutes is amended to read:

1           40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in  
2 accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10, ~~238.04(8)~~, and 757.02 (5)  
3 and subch. V of ch. 111.

4           **SECTION 75.** 40.62 (2) of the statutes is amended to read:

5           40.62 (2) Sick leave accumulation shall be determined in accordance with rules  
6 of the department, any collective bargaining agreement under subch. V of ch. 111,  
7 and ss. 13.121 (4), 36.30, 49.825 (4) (d) and (5) (d), 49.826 (4) (d), 230.35 (2), 233.10,  
8 ~~238.04(8)~~, 757.02 (5) and 978.12 (3).

9           **SECTION 76.** 40.95 (1) (a) 1. of the statutes is amended to read:

10           40.95 (1) (a) 1. The employee accrues accumulated unused sick leave under s.  
11 13.121 (4), 36.30, 230.35 (2), 233.10, ~~238.04(8)~~, or 757.02 (5).

12           **SECTION 77.** 41.11 (1g) (b) (intro.) of the statutes is amended to read:

13           41.11 (1g) (b) (intro.) The department, in consultation with the ~~Wisconsin~~  
14 ~~Economic Development Corporation~~ department of economic opportunity, shall do  
15 all of the following for each economic development program administered by the  
16 department:

17           **SECTION 78.** 41.11 (1r) (a) of the statutes is amended to read:

18           41.11 (1r) (a) The department shall coordinate any economic development  
19 assistance with the ~~Wisconsin Economic Development Corporation~~ department of  
20 economic opportunity.

21           **SECTION 79.** 41.11 (1r) (b) of the statutes is amended to read:

22           41.11 (1r) (b) Annually, no later than October 1, the department shall submit  
23 to the joint legislative audit committee and to the appropriate standing committees  
24 of the legislature under s. 13.172 (3) a comprehensive report assessing economic  
25 development programs, as defined in sub. (1g) (a), administered by the department.

1 The report shall include all of the information required under s. ~~238.07~~ 555.07 (2).  
2 The department shall collaborate with the ~~Wisconsin Economic Development~~  
3 ~~Corporation~~ department of economic opportunity to make readily accessible to the  
4 public on an Internet-based system the information required under this subsection.

5 **SECTION 80.** 59.57 (1) (a) of the statutes is amended to read:

6 59.57 (1) (a) Subject to par. (b), the board may appropriate money for and create  
7 a county industrial development agency or to any nonprofit agency organized to  
8 engage or engaging in activities described in this paragraph, appoint an executive  
9 officer and provide a staff and facilities to promote and develop the resources of the  
10 county and of its component municipalities. To this end the agency may, without  
11 limitation because of enumeration, develop data regarding the industrial needs,  
12 advantages and sites in the county, acquaint the purchaser with the products of the  
13 county by promotional activities, coordinate its work with that of the county  
14 planning commission, the ~~Wisconsin Economic Development Corporation~~  
15 department of economic opportunity, and private credit development corporations,  
16 and do all things necessary to provide for the continued improvement of the  
17 industrial climate of the county.

18 **SECTION 81.** 60.23 (4) (c) of the statutes is amended to read:

19 60.23 (4) (c) Coordinate its activities with the county planning commission, the  
20 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity,  
21 and private credit development organizations.

22 **SECTION 82.** 66.1103 (4m) (a) 1. of the statutes is amended to read:

23 66.1103 (4m) (a) 1. The person, at least 30 days prior to entering into the  
24 revenue agreement, has given a notice of intent to enter into the agreement, on a  
25 form prescribed under s. ~~238.11~~ 555.11 (1), to the ~~Wisconsin Economic Development~~

1 ~~Corporation~~ department of economic opportunity and to any collective bargaining  
2 agent in this state with whom the person has a collective bargaining agreement.

3 **SECTION 83.** 66.1103 (4m) (a) 2. of the statutes is amended to read:

4 66.1103 (4m) (a) 2. The municipality or county has received an estimate issued  
5 under s. ~~238.11~~ 555.11 (5), and the ~~Wisconsin Economic Development Corporation~~  
6 department of economic opportunity has estimated whether the project which the  
7 municipality or county would finance under the revenue agreement is expected to  
8 eliminate, create, or maintain jobs on the project site and elsewhere in this state and  
9 the net number of jobs expected to be eliminated, created, or maintained as a result  
10 of the project.

11 **SECTION 84.** 66.1103 (4m) (b) of the statutes is amended to read:

12 66.1103 (4m) (b) Any revenue agreement which an eligible participant enters  
13 into with a municipality or county to finance a project shall require the eligible  
14 participant to submit to the ~~Wisconsin Economic Development Corporation~~  
15 department of economic opportunity within 12 months after the project is completed  
16 or 2 years after a revenue bond is issued to finance the project, whichever is sooner,  
17 on a form prescribed under s. ~~238.11~~ 555.11 (1), the net number of jobs eliminated,  
18 created, or maintained on the project site and elsewhere in this state as a result of  
19 the project.

20 **SECTION 85.** 66.1103 (4s) (a) 1. of the statutes is amended to read:

21 66.1103 (4s) (a) 1. ~~“Corporation”~~ “Department” means the ~~Wisconsin Economic~~  
22 ~~Development Corporation~~ department of economic opportunity.

23 **SECTION 86.** 66.1103 (4s) (b) 3. of the statutes is amended to read:

24 66.1103 (4s) (b) 3. The employer shall certify compliance with this subsection  
25 to the ~~corporation~~ department, to the governing body of each municipality or county



1 within which a lost job exists and to any collective bargaining agent in this state with  
2 which the employer has a collective bargaining agreement at the project site or at a  
3 site where a lost job exists.

4 **SECTION 87.** 66.1103 (4s) (b) 4. of the statutes is amended to read:

5 66.1103 (4s) (b) 4. The employer shall submit a report to the ~~corporation~~  
6 department every 3 months during the first year after the construction of the project  
7 is completed. The reports shall provide information about new jobs, lost jobs, and  
8 offers of employment made to persons who were formerly employed at lost jobs. The  
9 4th report shall be the final report. The form and content of the reports shall be  
10 prescribed by the ~~corporation~~ department under par. (d).

11 **SECTION 88.** 66.1103 (4s) (d) of the statutes is amended to read:

12 66.1103 (4s) (d) The ~~corporation~~ department shall administer this subsection  
13 and shall prescribe forms for certification and reports under par. (b).

14 **SECTION 89.** 66.1103 (10) (c) of the statutes is amended to read:

15 66.1103 (10) (c) A copy of the initial resolution together with a statement  
16 indicating when the public notice required under par. (b) was published shall be filed  
17 with the ~~Wisconsin Economic Development Corporation~~ department of economic  
18 opportunity within 20 days following publication of notice. Prior to the closing of the  
19 bond issue, the ~~corporation~~ department may require additional information from the  
20 eligible participant or the municipality or county. After the closing of the bond issue,  
21 the ~~corporation~~ department shall be notified of the closing date, any substantive  
22 changes made to documents previously filed with the ~~corporation~~ department, and  
23 the principal amount of the financing.

24 **SECTION 90.** 66.1103 (10) (g) of the statutes is amended to read:

1           66.1103 (10) (g) Bonds may not be issued unless prior to adoption of an initial  
2 resolution a document which provides a good faith estimate of attorney fees which  
3 will be paid from bond proceeds is filed with the clerk of the municipality or county  
4 and the ~~Wisconsin Economic Development Corporation~~ department of economic  
5 opportunity.

6           **SECTION 91.** 70.11 (38r) of the statutes is repealed.

7           **SECTION 92.** 71.07 (2dm) (a) 1. of the statutes is amended to read:

8           71.07 (2dm) (a) 1. “Certified” means entitled under s. 555.395 (3) (a) 4. or s.  
9 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits  
10 or certified under s. 555.395 (5), 555.398 (5), or 555.3995 (4) or s. 238.395 (5), 2013  
11 stats., s. 238.398 (5), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009  
12 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

13           **SECTION 93.** 71.07 (2dm) (a) 3. of the statutes is amended to read:

14           71.07 (2dm) (a) 3. “Development zone” means a development opportunity zone  
15 under s. 555.395 (1) (e) and (f) or 555.398 or s. 238.395 (1) (e) and (f), 2013 stats., or  
16 s. 238.398, 2013 stats., or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009  
17 stats., or an airport development zone under s. 555.3995 or s. 238.3995, 2013 stats.,  
18 or s. 560.7995, 2009 stats.

19           **SECTION 94.** 71.07 (2dm) (a) 4. of the statutes is amended to read:

20           71.07 (2dm) (a) 4. “Previously owned property” means real property that the  
21 claimant or a related person owned during the 2 years prior to the department of  
22 commerce or the Wisconsin Economic Development Corporation or the department  
23 of economic opportunity designating the place where the property is located as a  
24 development zone and for which the claimant may not deduct a loss from the sale of  
25 the property to, or an exchange of the property with, the related person under section

1 267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue  
2 Code is modified so that if the claimant owns any part of the property, rather than  
3 50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue  
4 Code for purposes of this subsection.

5 **SECTION 95.** 71.07 (2dm) (f) 1. of the statutes is amended to read:

6 71.07 (2dm) (f) 1. A copy of the verification that the claimant may claim tax  
7 benefits under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795  
8 (3) (a) 4., 2009 stats., or is certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4)  
9 or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats.,  
10 or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

11 **SECTION 96.** 71.07 (2dm) (f) 2. of the statutes is amended to read:

12 71.07 (2dm) (f) 2. A statement from the department of commerce or the  
13 Wisconsin Economic Development Corporation or the department of economic  
14 opportunity verifying the purchase price of the investment and verifying that the  
15 investment fulfills the requirements under par. (b).

16 **SECTION 97.** 71.07 (2dm) (i) of the statutes is amended to read:

17 71.07 (2dm) (i) Partnerships, limited liability companies, and tax-option  
18 corporations may not claim the credit under this subsection, but the eligibility for,  
19 and the amount of, that credit shall be determined on the basis of their economic  
20 activity, not that of their shareholders, partners, or members. The corporation,  
21 partnership, or limited liability company shall compute the amount of credit that  
22 may be claimed by each of its shareholders, partners, or members and provide that  
23 information to its shareholders, partners, or members. Partners, members of limited  
24 liability companies, and shareholders of tax-option corporations may claim the  
25 credit based on the partnership's, company's, or corporation's activities in proportion

1 to their ownership interest and may offset it against the tax attributable to their  
2 income from the partnership's, company's, or corporation's business operations in the  
3 development zone; except that partners, members, and shareholders in a  
4 development zone under s. 555.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s.  
5 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax  
6 attributable to their income.

7 **SECTION 98.** 71.07 (2dm) (j) of the statutes is amended to read:

8 71.07 (2dm) (j) If a person who is entitled under s. 555.395 (3) (a) 4. or s. 238.395  
9 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes  
10 ineligible for such tax benefits, or if a person's certification under s. 555.395 (5),  
11 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats.,  
12 or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,  
13 or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this  
14 subsection for the taxable year that includes the day on which the person becomes  
15 ineligible for tax benefits, the taxable year that includes the day on which the  
16 certification is revoked, or succeeding taxable years, and that person may carry over  
17 no unused credits from previous years to offset tax under this chapter for the taxable  
18 year that includes the day on which the person becomes ineligible for tax benefits,  
19 the taxable year that includes the day on which the certification is revoked, or  
20 succeeding taxable years.

21 **SECTION 99.** 71.07 (2dm) (k) of the statutes is amended to read:

22 71.07 (2dm) (k) If a person who is entitled under s. 555.395 (3) (a) 4. or s.  
23 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits  
24 or certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013  
25 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009

1 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business  
2 operations in the development zone during any of the taxable years that that zone  
3 exists, that person may not carry over to any taxable year following the year during  
4 which operations cease any unused credits from the taxable year during which  
5 operations cease or from previous taxable years.

6 **SECTION 100.** 71.07 (2dx) (a) 2. of the statutes is amended to read:

7 71.07 (2dx) (a) 2. “Development zone” means a development zone under s.  
8 555.30 or s. 238.30, 2013 stats., or s. 560.70, 2009 stats., a development opportunity  
9 zone under s. 555.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats., an  
10 enterprise development zone under s. 555.397 or s. 238.397, 2013 stats., or s.  
11 560.797, 2009 stats., an agricultural development zone under s. 555.398 or s.  
12 238.398, 2013 stats., or s. 560.798, 2009 stats., or an airport development zone under  
13 s. 555.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

14 **SECTION 101.** 71.07 (2dx) (a) 4. of the statutes is amended to read:

15 71.07 (2dx) (a) 4. “Full-time job” has the meaning given in s. ~~238.30~~ 555.30  
16 (2m).

17 **SECTION 102.** 71.07 (2dx) (b) (intro.), 2. and 3. of the statutes are amended to  
18 read:

19 71.07 (2dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
20 in s. 73.03 (35), and subject to s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009  
21 stats., for any taxable year for which the person is entitled under s. 555.395 (3) or s.  
22 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified  
23 under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 or s. 238.365 (3), 2013  
24 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013  
25 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009

**SECTION 102**

1 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the  
2 taxes otherwise due under this chapter the following amounts:

3 2. The amount determined by multiplying the amount determined under s.  
4 555.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1) (b), 2009 stats., by  
5 the number of full-time jobs created in a development zone and filled by a member  
6 of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a)  
7 for those jobs.

8 3. The amount determined by multiplying the amount determined under s.  
9 555.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009 stats., by the  
10 number of full-time jobs created in a development zone and not filled by a member  
11 of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a)  
12 for those jobs.

13 **SECTION 103.** 71.07 (2dx) (b) 4. and 5. of the statutes, as affected by 2015  
14 Wisconsin Act 55, are amended to read:

15 71.07 (2dx) (b) 4. The amount determined by multiplying the amount  
16 determined under s. 555.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785  
17 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided ~~in the~~  
18 ~~rules~~ under s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., in an  
19 enterprise development zone under s. 555.397 or s. 238.397, 2013 stats., or s.  
20 560.797, 2009 stats., and for which significant capital investment was made and by  
21 then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

22 5. The amount determined by multiplying the amount determined under s.  
23 555.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009 stats., by the  
24 number of full-time jobs retained, as provided ~~in the rules~~ under s. 555.385 or s.  
25 238.385, 2013 stats., or s. 560.785, 2009 stats., in a development zone and not filled

1 by a member of a targeted group and by then subtracting the subsidies paid under  
2 s. 49.147 (3) (a) for those jobs.

3 **SECTION 104.** 71.07 (2dx) (be) of the statutes is amended to read:

4 71.07 (2dx) (be) *Offset.* A claimant in a development zone under s. 555.395 (1)  
5 (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset any  
6 credits claimed under this subsection, including any credits carried over, against the  
7 amount of the tax otherwise due under this subchapter attributable to all of the  
8 claimant's income and against the tax attributable to income from directly related  
9 business operations of the claimant.

10 **SECTION 105.** 71.07 (2dx) (bg) of the statutes is amended to read:

11 71.07 (2dx) (bg) *Other entities.* For claimants in a development zone under s.  
12 555.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats.,  
13 partnerships, limited liability companies, and tax-option corporations may not  
14 claim the credit under this subsection, but the eligibility for, and amount of, that  
15 credit shall be determined on the basis of their economic activity, not that of their  
16 shareholders, partners, or members. The corporation, partnership, or company shall  
17 compute the amount of the credit that may be claimed by each of its shareholders,  
18 partners, or members and shall provide that information to each of its shareholders,  
19 partners, or members. Partners, members of limited liability companies, and  
20 shareholders of tax-option corporations may claim the credit based on the  
21 partnership's, company's, or corporation's activities in proportion to their ownership  
22 interest and may offset it against the tax attributable to their income.

23 **SECTION 106.** 71.07 (2dx) (c) of the statutes is amended to read:

24 71.07 (2dx) (c) *Credit precluded.* If the certification of a person for tax benefits  
25 under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013

1 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013  
2 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009  
3 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible  
4 for tax benefits under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3),  
5 2009 stats., that person may not claim credits under this subsection for the taxable  
6 year that includes the day on which the certification is revoked; the taxable year that  
7 includes the day on which the person becomes ineligible for tax benefits; or  
8 succeeding taxable years and that person may not carry over unused credits from  
9 previous years to offset tax under this chapter for the taxable year that includes the  
10 day on which certification is revoked; the taxable year that includes the day on which  
11 the person becomes ineligible for tax benefits; or succeeding taxable years.

12 **SECTION 107.** 71.07 (2dx) (d) of the statutes is amended to read:

13 71.07 (2dx) (d) *Carry-over precluded.* If a person who is entitled under s.  
14 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax  
15 benefits or certified under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or  
16 s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or  
17 s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,  
18 s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases  
19 business operations in the development zone during any of the taxable years that  
20 that zone exists, that person may not carry over to any taxable year following the  
21 year during which operations cease any unused credits from the taxable year during  
22 which operations cease or from previous taxable years.

23 **SECTION 108.** 71.07 (2dy) (a) of the statutes is amended to read:

24 71.07 (2dy) (a) *Definition.* In this subsection, “claimant” means a person who  
25 files a claim under this subsection and is certified under s. 555.301 (2) or s. 238.301



1 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits  
2 under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

3 **SECTION 109.** 71.07 (2dy) (b) of the statutes is amended to read:

4 71.07 (2dy) (b) *Filing claims.* Subject to the limitations under this subsection  
5 and ss. 555.301 to 555.306 or ss. 238.301 to 238.306, 2013 stats., or ss. 560.701 to  
6 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant  
7 may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to the  
8 amount of the tax, the amount authorized for the claimant under s. 555.303 or s.  
9 238.303, 2013 stats., or s. 560.703, 2009 stats.

10 **SECTION 110.** 71.07 (2dy) (c) 1. of the statutes is amended to read:

11 71.07 (2dy) (c) 1. No credit may be allowed under this subsection unless the  
12 claimant includes with the claimant's return a copy of the claimant's certification  
13 under s. 555.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and  
14 a copy of the claimant's notice of eligibility to receive tax benefits under s. 555.303  
15 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

16 **SECTION 111.** 71.07 (2dy) (c) 2. of the statutes is amended to read:

17 71.07 (2dy) (c) 2. Partnerships, limited liability companies, and tax-option  
18 corporations may not claim the credit under this subsection, but the eligibility for,  
19 and the amount of, the credit are based on their authorization to claim tax benefits  
20 under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership,  
21 limited liability company, or tax-option corporation shall compute the amount of  
22 credit that each of its partners, members, or shareholders may claim and shall  
23 provide that information to each of them. Partners, members of limited liability  
24 companies, and shareholders of tax-option corporations may claim the credit in  
25 proportion to their ownership interests.