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DOA:.....Quinn, BB0040 - Internal Revenue Code update

FOR 2015-2017 BUDGET - NOT READY FOR INTRODUCTION

in 9-26-14

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1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

This bill modifies the definitions of "Internal Revenue Code", for state income and franchise tax purposes, in order to adopt federal law provisions related to cooperative and small employer charity pension plans. The bill also eliminates outdated references contained within the those definitions.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

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

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

2 SECTION 1. 71.01 (6) (a) of the statutes is repealed.

3 SECTION 2. 71.01 (6) (i) of the statutes is amended to read:

1 71.01 (6) (i) For taxable years that begin after December 31, 2012, and before
2 January 1, 2014, for natural persons and fiduciaries, except fiduciaries of nuclear
3 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
4 Internal Revenue Code as amended to December 31, 2010, excluding sections 103,
5 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
8 section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201,
9 and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and
10 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909,
11 and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324,
12 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59,
13 section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a),
14 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513
15 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424,
16 and 425 of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except
17 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2,
18 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.
19 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,
20 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
21 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
22 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
23 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
24 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.
25 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021,

1 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections
2 1403 and 1407 of P.L. 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L.
3 111-226, except sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections
4 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendedd
5 by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241,
6 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as
7 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
8 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.
9 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
10 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
11 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
12 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
13 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
14 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
15 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15,
16 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
17 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
18 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
19 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
20 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
21 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
22 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
23 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
24 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
25 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.

26 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
27 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
28 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
29 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
30 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
31 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
32 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
33 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
34 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
35 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
36 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
37 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
38 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
39 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
40 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and
41 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217
42 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L.
43 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211,
44 40241, 40242, 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240. The
45 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
46 purposes, except that changes made by P.L. 106-573, sections 9004, 9005, 9012,
47 9013, 9014, 9016, and 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152,
48 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
49 40242, and 100121 of P.L. 112-141 do not apply for taxable years beginning before
50 January 1, 2013. Amendments to the federal Internal Revenue Code enacted after

51 December 31, 2010, do not apply to this paragraph with respect to taxable years
 52 beginning after December 31, 2010, except that changes to the Internal Revenue
 53 Code made by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
 54 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes that indirectly affect
 55 the provisions applicable to this subchapter made by section 1858 of P.L. 112-10,
 56 section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121 of P.L.
 57 112-141, do not apply for taxable years beginning before January 1, 2013, and
 58 changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112-240,
 59 and changes that indirectly affect the provisions applicable to this subchapter made
 60 by sections 101 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same
 61 time as for federal purposes.

and 3. and subject to subd. 4.

History: 1987 a. 312; 1987 a. 411 ss. 6 to 8, 26, 27, 31; 1989 a. 31, 100, 336; 1991 a. 39, 269; 1993 a. 16, 112, 437; 1993 a. 27, 380, 428; 1997 a. 27, 37, 237; 1999 a. 9, 194; 2001 a. 109; 2003 a. 33; 2005 a. 25, 49, 362; 2007 a. 20, 226; 2009 a. 2, 28, 161, 183; 2011 a. 32; 2013 a. 20.

62 **SECTION 3.** 71.01 (6) (j) of the statutes is created to read:

63 71.01 (6) (j) 1. For taxable years beginning after December 31, 2013, for
 64 individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or
 65 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
 66 as amended to December 31, 2013, except as provided in subds. 2. to 4.

67 2. "Internal Revenue Code" does not include the following provisions of federal
 68 public laws for taxable years beginning after December 31, 2013: section 13113 of P.L.
 69 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L.
 70 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section
 71 403 (q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L.
 72 109-432; sections 8233 and 8235 of P.L. 110-28; section 11 (e) and (g) of P.L. 110-172;
 73 section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302
 74 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801

(For purposes of this paragraph)

For purposes of this paragraph, (2x)

75 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division
76 B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-312; section 1106 of
77 P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

78 3. "Internal Revenue Code" does not include amendments to the federal
79 Internal Revenue Code enacted after December 31, 2013, except that "Internal
80 Revenue Code" includes the provisions of the following federal public laws which
81 apply for Wisconsin purposes at the same time as for federal purposes:

82 a. P.L. 113-97.

83 b. P.L. 113-159.

that are included in the Internal Revenue Code, as defined in this paragraph;

84 4. "Internal Revenue Code" includes the provisions of federal public laws
85 adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue
86 Code and such provisions apply for Wisconsin purposes at the same time as for
87 federal purposes.

88 SECTION 4. 71.22 (4) (a) of the statutes is repealed.

89 SECTION 5. 71.22 (4) (i) of the statutes is amended to read:

90 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
91 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
92 December 31, 2012, and before January 1, 2014, means the federal Internal Revenue
93 Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
94 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
95 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
96 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L.
97 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
98 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
99 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.

100 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
101 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.
102 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
103 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,
104 P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
105 division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections
106 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5
107 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,
108 P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections
109 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and
110 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,
111 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,
112 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
113 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections
114 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
115 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L.
116 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except
117 sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111,
118 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amendeded by section 1858
119 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121
120 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, indirectly affected in the
121 provisions applicable to this subchapter by P.L. 99–514, excluding sections 803 (d)
122 (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203,
123 P.L. 100–647, excluding section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.
124 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections

125 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
126 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
127 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
128 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
129 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
130 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
131 P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
132 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
133 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
134 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
135 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
136 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
137 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
138 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.
139 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
140 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
141 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
142 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
143 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
144 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410,
145 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
146 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
147 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
148 and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.
149 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.

150 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,
151 excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B
152 and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,
153 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
154 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections
155 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
156 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L.
157 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections
158 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L.
159 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L.
160 112–141, and sections 101 and 902 of P.L. 112–240. The Internal Revenue Code
161 applies for Wisconsin purposes at the same time as for federal purposes, except that
162 changes made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
163 10902 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L.
164 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121
165 of P.L. 112–141 do not apply for taxable years beginning before January 1, 2013.
166 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
167 do not apply to this paragraph with respect to taxable years beginning after
168 December 31, 2010, except that changes to the Internal Revenue Code made by
169 section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241,
170 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions
171 applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L.
172 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply
173 for taxable years beginning before January 1, 2013, and changes to the Internal
174 Revenue Code made by sections 101 and 902 of P.L. 112–240, and changes that

175 indirectly affect the provisions applicable to this subchapter made by sections 101
176 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
177 purposes.

History: 1987 a. 312; 1987 a. 411 ss. 14, 19, 109, 112; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 112, 437; 1995 a. 27, 380, 428; 1997 a. 27, 37, 237, 252, 299; 1999 a. 9, 194; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 49; 2007 a. 20, 226; 2009 a. 2, 28, 161, 183; 2011 a. 32; 2013 a. 20.

178 **SECTION 6.** 71.22 (4) (j) of the statutes is created to read:

179 71.22 (4) (j) 1. For taxable years beginning after December 31, 2013, "Internal
180 Revenue Code" means the federal Internal Revenue Code as amended to December
181 31, 2013, except as provided in subds. 2. to 4., sub. (4m), and ss. 71.26 (2) (b) and (3),
182 71.34 (1g), and 71.42 (2).

and 3. and subject to subd. 4. and except as provided in

183 2. "Internal Revenue Code" does not include the following provisions of federal
184 public laws for taxable years beginning after December 31, 2013: section 13113 of P.L.
185 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L.
186 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section
187 403 (q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L.
188 109-432; sections 8233 and 8235 of P.L. 110-28; section 11 (e) and (g) of P.L. 110-172;
189 section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302
190 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801
191 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division
192 B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-312; section 1106 of
193 P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

194 3. "Internal Revenue Code" does not include amendments to the federal
195 Internal Revenue Code enacted after December 31, 2013, except that "Internal
196 Revenue Code" includes the provisions of the following federal public laws which
197 apply for Wisconsin purposes at the same time as for federal purposes:

198 a. P.L. 113-97.

In purpose of this paragraph, (2x)

For purposes of this paragraph,

that are included in the Internal Revenue Code; or defined in this paragraph;

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b. P.L. 113-159.

4. "Internal Revenue Code" includes the provisions of federal public laws adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue Code and such provisions apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 7. 71.22 (4m) (a) of the statutes is repealed.

SECTION 8. 71.22 (4m) (i) of the statutes is amended to read:

71.22 (4m) (i) For taxable years that begin after December 31, 2012, and before January 1, 2014, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.

224 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,
225 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
226 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
227 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
228 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
229 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.
230 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021,
231 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections
232 1403 and 1407 of P.L. 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L.
233 111-226, except sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections
234 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendedd
235 by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241,
236 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and as
237 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
238 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
239 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
240 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
241 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
242 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
243 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
244 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
245 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15,
246 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
247 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
248 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections

249 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201
250 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,
251 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102,
252 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,
253 P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310,
254 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59,
255 excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L.
256 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section
257 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L.
258 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227,
259 P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
260 and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and
261 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.
262 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,
263 P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314,
264 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and
265 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections
266 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
267 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522,
268 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding
269 section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
270 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and
271 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217
272 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L.
273 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211,

274 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240.
 275 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
 276 federal purposes, except that changes made by P.L. 106-573, sections 9004, 9005,
 277 9012, 9013, 9014, 9016, and 10902 of P.L. 111-148, sections 1403 and 1407 of P.L.
 278 111-152, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211,
 279 40241, 40242, and 100121 of P.L. 112-141 do not apply for taxable years beginning
 280 before January 1, 2013. Amendments to the federal Internal Revenue Code enacted
 281 after December 31, 2010, do not apply to this paragraph with respect to taxable years
 282 beginning after December 31, 2010, except that changes to the Internal Revenue
 283 Code made by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
 284 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes that indirectly affect
 285 the provisions applicable to this subchapter made by section 1858 of P.L. 112-10,
 286 section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121 of P.L.
 287 112-141, do not apply for taxable years beginning before January 1, 2013, and
 288 changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112-240,
 289 and changes that indirectly affect the provisions applicable to this subchapter made
 290 by sections 101 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same
 291 time as for federal purposes.

History: 1987 a. 312; 1987 a. 411 ss. 14, 19, 109, 112; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 112, 437; 1995 a. 27, 380, 428; 1997 a. 27, 37, 237, 252, 299; 1999 a. 9, 194; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 49; 2007 a. 20, 226; 2009 a. 2, 28, 161, 183; 2011 a. 32; 2013 a. 20.

292 **SECTION 9.** 71.22 (4m) (j) of the statutes is created to read:

293 71.22 (4m) (j) 1. For taxable years beginning after December 31, 2013,
 294 "Internal Revenue Code", for corporations that are subject to a tax on unrelated
 295 business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as
 296 amended to December 31, 2013, except as provided in subs. 2. to 4.

and 3. and subject
to subd. 4.

For purposes of this paragraph, (3x)

297 2. "Internal Revenue Code" does not include the following provisions of federal
 298 public laws for taxable years beginning after December 31, 2013: section 13113 of P.L.
 299 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L.
 300 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section
 301 403 (q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L.
 302 109-432; sections 8233 and 8235 of P.L. 110-28; section 11 (e) and (g) of P.L. 110-172;
 303 section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302
 304 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801
 305 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division
 306 B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-312; section 1106 of
 307 P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

308 3. "Internal Revenue Code" does not include amendments to the federal
 309 Internal Revenue Code enacted after December 31, 2013, except that "Internal
 310 Revenue Code" includes the provisions of the following federal public laws which
 311 apply for Wisconsin purposes at the same time as for federal purposes.

a. P.L. 113-97.

b. P.L. 113-159.

that are included in the Internal Revenue Code, or defined in this paragraph

314 4. "Internal Revenue Code" includes the provisions of federal public laws
 315 adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue
 316 Code and such provisions apply for Wisconsin purposes at the same time as for
 317 federal purposes.

SECTION 10. 71.26 (2) (b) 1. of the statutes is repealed. X

SECTION 11. 71.26 (2) (b) 9. of the statutes is amended to read:

71.26 (2) (b) 9. For taxable years that begin after December 31, 2012, and
 before January 1, 2014, for a corporation, conduit, or common law trust which

322 qualifies as a regulated investment company, real estate mortgage investment
323 conduit, real estate investment trust, or financial asset securitization investment
324 trust under the Internal Revenue Code as amended to December 31, 2010, excluding
325 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
326 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
327 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165
328 of P.L. 106-554, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,
329 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
330 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336,
331 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309,
332 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section
333 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates
334 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
335 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410,
336 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
337 P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L.
338 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b),
339 (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245,
340 P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
341 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317,
342 P.L. 110-343, except sections 116, 208, 211, and 301 of division B and sections 313
343 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401,
344 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L.
345 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,
346 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L.

347 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section
348 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L.
349 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.
350 111–312, and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95,
351 sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902
352 of P.L. 112–240, and as indirectly affected in the provisions applicable to this
353 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
354 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,
355 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
356 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
357 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
358 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
359 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
360 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,
361 P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.
362 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)
363 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,
364 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,
365 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,
366 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
367 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
368 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections
369 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
370 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding
371 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it

372 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.
373 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,
374 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
375 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,
376 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,
377 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)
378 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,
379 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding
380 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)
381 of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
382 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,
383 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.
384 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004,
385 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
386 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L.
387 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and
388 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L.
389 112–95, sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101
390 and 902 of P.L. 112–240, “net income” means the federal regulated investment
391 company taxable income, federal real estate mortgage investment conduit taxable
392 income, federal real estate investment trust or financial asset securitization
393 investment trust taxable income of the corporation, conduit, or trust as determined
394 under the Internal Revenue Code as amended to December 31, 2010, excluding
395 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
396 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and

397 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165
398 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,
399 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,
400 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,
401 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,
402 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section
403 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates
404 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,
405 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410,
406 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,
407 P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.
408 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),
409 (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,
410 P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
411 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,
412 P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313
413 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,
414 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.
415 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,
416 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L.
417 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section
418 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L.
419 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.
420 111–312, and as amendeded by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95,
421 sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902

422 of P.L. 112-240, and as indirectly affected in the provisions applicable to this
423 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
424 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
425 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
426 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
427 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
428 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
429 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
430 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
431 P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
432 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a)
433 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
434 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
435 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
436 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
437 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
438 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
439 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
440 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
441 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
442 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
443 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,
444 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
445 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,
446 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,

447 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)
448 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,
449 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding
450 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)
451 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
452 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
453 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
454 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004,
455 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
456 111-148, section 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203,
457 sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L.
458 111-240, P.L. 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95,
459 sections 40211, 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902
460 of P.L. 112-240, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,
461 is required to be depreciated for taxable years 1983 to 1986 under the Internal
462 Revenue Code as amended to December 31, 1980, shall continue to be depreciated
463 under the Internal Revenue Code as amended to December 31, 1980, and except that
464 the appropriate amount shall be added or subtracted to reflect differences between
465 the depreciation or adjusted basis for federal income tax purposes and the
466 depreciation or adjusted basis under this chapter of any property disposed of during
467 the taxable year. The Internal Revenue Code as amended to December 31, 2010,
468 excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171
469 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
470 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165
471 of P.L. 106-554, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,

472 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,
473 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,
474 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,
475 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section
476 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates
477 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,
478 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410,
479 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,
480 P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.
481 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),
482 (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,
483 P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
484 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,
485 P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313
486 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,
487 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.
488 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,
489 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L.
490 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L.
491 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240,
492 except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312,
493 and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections
494 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902 of P.L.
495 112–240, and as indirectly affected in the provisions applicable to this subchapter by
496 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,

497 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
498 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
499 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
500 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
501 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
502 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
503 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573,
504 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
505 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.
506 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
507 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
508 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
509 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
510 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
511 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
512 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
513 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
514 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
515 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
516 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,
517 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
518 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,
519 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,
520 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)
521 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,

522 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding
523 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)
524 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
525 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
526 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
527 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004,
528 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
529 111-148, sections 1403 and 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L.
530 111-203, sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and
531 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L. 112-10, section 1108 of P.L.
532 112-95, sections 40211, 40241, 40242, and 100121 of P.L. 112-141, and sections 101
533 and 902 of P.L. 112-240 applies for Wisconsin purposes at the same time as for
534 federal purposes, except that changes made by P.L. 106-573, sections 9004, 9005,
535 9012, 9013, 9014, 9016, and 10902 of P.L. 111-148, and sections 1403 and 1407 of P.L.
536 111-152, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211,
537 40241, 40242, and 100121 of P.L. 112-141 do not apply for taxable years beginning
538 before January 1, 2013. Amendments to the federal Internal Revenue Code enacted
539 after December 31, 2010, do not apply to this paragraph with respect to taxable years
540 beginning after December 31, 2010, except that changes to the Internal Revenue
541 Code made by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
542 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes that indirectly affect
543 the provisions applicable to this subchapter made by section 1858 of P.L. 112-10,
544 section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121 of P.L.
545 112-141, do not apply for taxable years beginning before January 1, 2013, and
546 changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112-240,

547 and changes that indirectly affect the provisions applicable to this subchapter made
 548 by sections 101 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same
 549 time as for federal purposes.

History: 1987 a. 312; 1987 a. 411 ss. 22, 124 to 129; 1989 a. 31, 336; 1991 a. 37, 39, 221, 269; 1993 a. 16, 112, 246, 263, 399, 437, 491; 1995 a. 27, 56, 351, 371, 380, 428; 1997 a. 27, 37, 184, 237; 1999 a. 9, 65; 1999 a. 150 s. 672; 1999 a. 167, 194; 2001 a. 16, 38, 106, 109; 2003 a. 33, 85, 99, 135, 255, 326; 2005 a. 25, 74, 335, 361, 362, 479, 483; 2007 a. 20, 96, 97, 151, 226; 2009 a. 2, 28, 161, 165, 180, 183, 205, 265, 269, 295, 332, 344; 2011 a. 3, 5, 7, 10, 32, 212, 232; 2011 a. 260 s. 80; 2013 a. 20, 145; 2013 a. 165 ss. 46, 115.

550 **SECTION 12.** 71.26 (2) (b) 10. of the statutes is created to read:

551 71.26 (2) (b) 10. a. For taxable years beginning after December 31, 2013, for a
 552 corporation, conduit, or common law trust which qualifies as a regulated investment
 553 company, real estate mortgage investment conduit, real estate investment trust, or
 554 financial asset securitization investment trust under the Internal Revenue Code,
 555 "net income" means the federal regulated investment company taxable income,
 556 federal real estate mortgage investment conduit taxable income, federal real estate
 557 investment trust or financial asset securitization investment trust taxable income
 558 of the corporation, conduit, or trust as determined under the Internal Revenue Code.

559 b. For purposes of subd. 10. a., "Internal Revenue Code" means the federal
 560 Internal Revenue Code as amended to December 31, 2013, except as provided in
 561 subs. 10. c. to 10. e. and 10. d. and subject to subd. 10. e. ΔΔ

562 c. "Internal Revenue Code" does not include the following provisions of federal
 563 public laws for taxable years beginning after December 31, 2013: section 13113 of P.L.
 564 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L.
 565 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section
 566 403 (q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L.
 567 109-432; sections 8233 and 8235 of P.L. 110-28; section 11 (e) and (g) of P.L. 110-172;
 568 section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302
 569 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801

For purposes of subd. 10. a.,

For purposes of subd. 10. a., (28)

570 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division
571 B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-312; section 1106 of
572 P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

573 d. "Internal Revenue Code" does not include amendments to the federal
574 Internal Revenue Code enacted after December 31, 2013, except that "Internal
575 Revenue Code" includes the provisions of P.L. 113-97 and P.L. 113-159, which apply
576 for Wisconsin purposes at the same time as for federal purposes.

577 e. "Internal Revenue Code" includes the provisions of federal public laws
578 adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue
579 Code and such provisions apply for Wisconsin purposes at the same time as for
580 federal purposes.

581 SECTION 13. 71.34 (1g) (a) of the statutes is repealed. X

582 SECTION 14. 71.34 (1g) (i) of the statutes is amended to read:

583 71.34 (1g) (i) "Internal Revenue Code" for tax-option corporations, for taxable
584 years that begin after December 31, 2012, and before January 1, 2014, means the
585 federal Internal Revenue Code as amended to December 31, 2010, excluding sections
586 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
587 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
588 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
589 section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201,
590 and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and
591 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909,
592 and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324,
593 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59,
594 section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a),

that are included in the Internal Revenue Code, or defined in this subdivision

595 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513
596 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424,
597 and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except
598 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2,
599 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L.
600 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246,
601 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections
602 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343,
603 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
604 division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521,
605 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L.
606 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021,
607 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections
608 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L.
609 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections
610 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–312, and as amendeded by
611 section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242,
612 and 100121 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, and as
613 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
614 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
615 of P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding section 1008 (g) (5) of P.L.
616 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
617 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
618 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
619 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.

620 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
621 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
622 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
623 excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L.
624 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
625 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L.
626 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections
627 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201
628 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,
629 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102,
630 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,
631 P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310,
632 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59,
633 excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L.
634 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section
635 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L.
636 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227,
637 P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
638 and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and
639 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.
640 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,
641 P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314,
642 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and
643 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections
644 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.

645 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522,
646 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding
647 section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
648 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, sections 1403 and
649 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217
650 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L.
651 111–325, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211,
652 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240,
653 except that section 1366 (f) (relating to pass-through of items to shareholders) is
654 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
655 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
656 as for federal purposes, except that changes made by P.L. 106–573, sections 9004,
657 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111–148, sections 1403 and 1407 of
658 P.L. 111–152, section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections
659 40211, 40241, 40242, and 100121 of P.L. 112–141 do not apply for taxable years
660 beginning before January 1, 2013. Amendments to the federal Internal Revenue
661 Code enacted after December 31, 2010, do not apply to this paragraph with respect
662 to taxable years beginning after December 31, 2010, except that changes to the
663 Internal Revenue Code made by section 1858 of P.L. 112–10, section 1108 of P.L.
664 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and changes
665 that indirectly affect the provisions applicable to this subchapter made by section
666 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241, 40242,
667 and 100121 of P.L. 112–141, do not apply for taxable years beginning before January
668 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of
669 P.L. 112–240, and changes that indirectly affect the provisions applicable to this

For purpose of this paragraph, (2x)

670 subchapter made by sections 101 and 902 of P.L. 112-240, apply for Wisconsin
671 purposes at the same time as for federal purposes.

3, and 5, and subject to subd. 4.

History: 1987 a. 312; 1987 a. 411 ss. 18, 23, 146; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 437; 1995 a. 27, 380, 428; 1997 a. 27, 37, 237; 1999 a. 9, 194; 2001 a. 16, 109; 2003 a. 33, 99, 135, 255, 326; 2005 a. 25, 49, 74, 361, 479, 483; 2007 a. 20, 96, 226; 2009 a. 2, 28, 161, 183, 265, 269, 295, 332; 2011 a. 32, 212, 232; 2011 a. 260 s. 80; 2013 a. 20.

672 **SECTION 15.** 71.34 (1g) (j) of the statutes is created to read:

673 71.34 (1g) (j) 1. For taxable years beginning after December 31, 2013, for tax
674 option corporations, "Internal Revenue Code" means the federal Internal Revenue
675 Code as amended to December 31, 2013, except as provided in subds. 2. to 5.

676 2. "Internal Revenue Code" does not include the following provisions of federal
677 public laws for taxable years beginning after December 31, 2013: section 13113 of P.L.
678 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L.
679 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section
680 403 (q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L.
681 109-432; sections 8233 and 8235 of P.L. 110-28; section 11 (e) and (g) of P.L. 110-172;
682 section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302
683 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801
684 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division
685 B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-312; section 1106 of
686 P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

687 3. "Internal Revenue Code" does not include amendments to the federal
688 Internal Revenue Code enacted after December 31, 2013, except that "Internal
689 Revenue Code" includes the provisions of the following federal public laws which
690 apply for Wisconsin purposes at the same time as for federal purposes:

- 691 a. P.L. 113-97.
- 692 b. P.L. 113-159.

693 4. "Internal Revenue Code" includes the provisions of federal public laws
 694 adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue
 695 Code and such provisions apply for Wisconsin purposes at the same time as for
 696 federal purposes.

697 5. For purposes of this paragraph, section 1366 (f) of the Internal Revenue Code
 698 (relating to pass-through of items to shareholders) is modified by substituting the
 699 tax under s. 71.35 for the taxes under sections 1374 and 1375.

700 SECTION 16. 71.42 (2) (a) of the statutes is repealed.

701 SECTION 17. 71.42 (2) (i) of the statutes is amended to read:

702 71.42 (2) (i) For taxable years that begin after December 31, 2012, and before
 703 January 1, 2014, "Internal Revenue Code" means the federal Internal Revenue Code
 704 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
 705 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
 706 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
 707 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L.
 708 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
 709 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403 (a) of P.L.
 710 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
 711 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
 712 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
 713 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 714 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222,
 715 P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
 716 division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections
 717 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5

that are included in the Internal Revenue Code,
 as defined in this paragraph,

718 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,
719 P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections
720 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and
721 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,
722 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,
723 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
724 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections
725 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
726 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L.
727 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except
728 sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111,
729 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as amendeded by section 1858
730 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121
731 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, and as indirectly affected
732 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
733 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
734 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
735 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
736 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
737 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
738 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
739 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573,
740 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.
741 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.
742 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,

743 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,
744 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,
745 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
746 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
747 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections
748 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
749 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding
750 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it
751 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.
752 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,
753 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
754 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,
755 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,
756 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)
757 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,
758 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding
759 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)
760 of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
761 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,
762 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.
763 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004,
764 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
765 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L.
766 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and
767 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L.

768 112-95, sections 40211, 40241, 40242, and 100121 of P.L. 112-141, and sections 101
 769 and 902 of P.L. 112-240, except that "Internal Revenue Code" does not include
 770 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
 771 applies for Wisconsin purposes at the same time as for federal purposes, except that
 772 changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
 773 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, section 1858 of P.L.
 774 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121
 775 of P.L. 112-141 do not apply for taxable years beginning before January 1, 2013.
 776 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
 777 do not apply to this paragraph with respect to taxable years beginning after
 778 December 31, 2010, except that changes to the Internal Revenue Code made by
 779 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
 780 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
 781 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
 782 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply
 783 for taxable years beginning before January 1, 2013, and changes to the Internal
 784 Revenue Code made by sections 101 and 902 of P.L. 112-240, and changes that
 785 indirectly affect the provisions applicable to this subchapter made by sections 101
 786 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
 787 purposes.

History: 1987 a. 312; 1987 a. 411 ss. 5, 148, 149; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 437; 1995 a. 27, 380, 428; 1997 a. 27, 37, 237; 1999 a. 9, 194; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25, 49; 2007 a. 20, 226; 2009 a. 2, 28, 161, 183; 2011 a. 32; 2013 a. 20.

788 **SECTION 18.** 71.42 (2) (j) of the statutes is created to read:

789 71.42 (2) (j) 1. For taxable years beginning after December 31, 2013, "Internal
 790 Revenue Code" means the federal Internal Revenue Code as amended to December
 791 31, 2013, except as provided in subds. 2. to 5.

4. and subject
to subd. 5.

For purposes of this paragraph, (4x)

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2. "Internal Revenue Code" does not include the following provisions of federal public laws for taxable years beginning after December 31, 2013; ^{△△}section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28; section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B, and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

3. "Internal Revenue Code" does not include amendments to the federal Internal Revenue Code enacted after December 31, 2013, except that "Internal Revenue Code" includes the provisions of the following federal public laws which apply for Wisconsin purposes at the same time as for federal purposes:

a. P.L. 113-97.

b. P.L. 113-159.

that are included in the Internal Revenue Code, as defined in this paragraph,

4. "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code.

5. "Internal Revenue Code" includes the provisions of federal public laws adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue Code and such provisions apply for Wisconsin purposes at the same time as for federal purposes.

Kreye, Joseph

From: Quinn, Brian D - DOA <Brian.Quinn@wisconsin.gov>
Sent: Sunday, December 21, 2014 1:52 PM
To: Kreye, Joseph
Subject: Drafting Revision - LRB# 0275/P1 BB0040
Attachments: Revised IRC Update to Include the Tribal General Welfare Exclusion Act.pdf

Joe,

See the attachment above for drafting instructions for a revised IRC update to include the update related to the Tribal General Welfare Exclusion Act.

Let me know if you have questions.

Brian Quinn
Executive Policy and Budget Analyst - Senior
Wisconsin Department of Administration
Division of Executive Budget and Finance
(608)-266-1923
Brian.quinn@wisconsin.gov



State of Wisconsin • DEPARTMENT OF REVENUE

2135 RIMROCK ROAD • Mail Stop 624A • P.O. BOX 8933 • MADISON, WISCONSIN 53708-8933 • 608-266-6466 • FAX (608) 266-5718
<http://www.revenue.wi.gov>

Scott Walker
Governor

Richard G. Chandler
Secretary of Revenue

MEMORANDUM

DATE: October 22, 2014
TO: Michael Heifetz
State Budget Director
FROM: Richard G. Chandler *RGC*
Secretary of Revenue

SUBJECT: Revised IRC Update to Include the Tribal General Welfare Exclusion Act

The President signed the Tribal General Welfare Exclusion Act (P.L. 113-168) into law on September 26, 2014. The IRS came out with guidelines in anticipation of this Act that address tribal gaming payments (Revenue Procedure 2014-35). The IRS guidelines delineate welfare benefits provided to tribal members from per capita payments to tribal members that are subject to the Indian Gaming Regulatory Act. Gaming payments are gross income and are subject to information reporting and withholding requirements and not excludable from gross income under the general welfare exclusion. The IRS guidelines reflect treatment of gaming payments that existed prior to the enactment of P.L. 113-168 and persist after P.L. 113-168's enactment. Wisconsin's treatment of these payments similarly will not be affected by adoption of relevant portions of P.L. 113-168 for state purposes.

Background

The Act clarifies that no tax obligation is triggered with respect to any "Indian General Welfare Benefit" (again, which does not include payments from gaming revenues) which are:

Any payment made or services provided to or on behalf of a member of an Indian tribe (or any spouse or dependent of such a member) pursuant to an Indian tribal government program, but only if:

- (1) The program is administered under specified guidelines and does not discriminate in favor of members of the governing body of the tribe, and
- (2) The benefits provided under such program are:
 - (A) available to any tribal member who meets such guidelines,
 - (B) for the promotion of general welfare,
 - (C) not lavish or extravagant, and
 - (D) not compensation for services.

Michael Heifetz
September 19, 2012
Page 2

Recommendation and Discussion

DOR recommends adoption of relevant provisions P.L. 113-168 in addition to the previous IRC update recommendations submitted to the State Budget Office. We have updated our previous recommendation to include P.L. 113-168.

There is no fiscal effect of adding P.L. 113-168 to our IRC update recommendations. The law clarifies current federal and state tax treatment rather than making substantive changes. DOR's analysis of the state effect based on the federal Joint Committee on Taxation's estimate would be less than \$1,000 for Wisconsin.

Please feel free to contact me at 266-6466 with any questions that you may have.

TITLE: Internal Revenue Code Update

DESCRIPTION OF CURRENT LAW AND PROBLEM

The Wisconsin definition of the Internal Revenue Code (IRC) in secs. 71.01(6), 71.22(4) and (4m), 71.26(2)(b), 71.34(1g), and 71.42(2) has become very difficult to read and understand. There are many provisions of federal public laws that are listed as exclusions from the definition of the IRC that have expired or no longer apply due to changes made in the last legislative sessions. The definition of the IRC would be greatly clarified if these references were deleted for taxable years beginning after December 31, 2013.

In addition, the provisions could be clarified by dividing the section into subsections, paragraphs, etc., as appropriate, so that if one section goes onto another page of the statutes, it would be easier to read.

This clarification would not change the items that have been excluded by the legislature in the past. It would only eliminate those items that no longer affect the IRC for taxable years beginning after December 31, 2013.

Federal Public Law 113-97, *Cooperative and Small Employer Charity Pension Flexibility Act*, was enacted April 8, 2014. This public law amended IRC sec. 414 to provide a definition, rules and funding standards for a cooperative and small employer charity (CSEC) pension plan. The provision applies to taxable years beginning after December 31, 2013. This provision should be adopted for Wisconsin in order to keep the Wisconsin treatment of pension plans the same as the federal treatment.

Public Law 113-168, *Tribal General Welfare Exclusion Act of 2014*, enacted September 26, 2014, created sec. 139E of the Internal Revenue Code to clarify the treatment of general welfare benefits provided by Indian tribes. This provision should be adopted to ensure that general welfare benefits provided by Indian tribes are treated the same for Wisconsin and federal tax purposes.

RECOMMENDATION FOR ACTION

Clarify the definition of the IRC by deleting the items that have expired or no longer apply because of law changes and divide the provisions into subsections, paragraphs, etc., as appropriate.

Add the provision of P.L. 113-97 and P.L. 113-159 for taxable years beginning after December 31, 2013, relating to a definition, rules and funding standards for a cooperative and small employer charity pension plan and minimum funding requirements for employer defined benefit pension plans.

Add the provisions of P.L. 113-168 to apply for taxable years beginning in 2010 through 2014. This would be the same time period as for federal tax purposes.

IMPACT ON JOB CREATION

None

FISCAL EFFECT

Elimination of items no longer in effect: None

Adoption of provisions of P.L. 113-97 and P.L. 113-159: Minimal

Adoption of provisions of P.L. 113-168: None; clarifies current Wisconsin tax treatment.

DRAFTING INSTRUCTIONS

Attached.

EFFECTIVE DATE

Taxable years beginning on or after December 31, 2013, except that the adoption of P.L. 113-168 would also apply for taxable years beginning on January 1, 2010, 2011, 2012, and 2013.

INTERESTED/AFFECTED PARTIES

Tax practitioners and cooperative and small employer charity pension plans.

DOR CONTACT PERSON

Diane Hardt
(608) 266-6798

PREPARED BY:

Marcy Stock

IRC DRAFTING INSTRUCTIONS

1. Delete secs. 71.01(6)(a), 71.22(4)(a) and (4m)(a), 71.26(2)(b)1., 71.34(1g)(a), and 71.42(2)(a).
2. Amend secs. 71.01(6)(i), 71.22(4)(i) and (4m)(i), 71.26(2)(b)9, 71.34(1g)(i), and 71.42(2)(i) to limit the provisions "For taxable years that begin after December 31, 2012, and before January 1, 2014,"
3. Create sec. 71.01(6)(j) to read as follows:

(j) For taxable years that begin after December 31, 2013, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, and as provided in subds. 1. through 3.

1. The following provisions of federal public laws are excluded from the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section 403(q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28; section 11(e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B, and sections 312, 322, 502(c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

2. Amendments to the federal Internal Revenue Code enacted after December 31, 2013, do not apply except that the following provisions of federal public laws are included in the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013, and apply for Wisconsin purposes at the same time as for federal purposes: P.L. 113-97, P.L. 113-159, and P.L. 113-168.

3. The definition of the Internal Revenue Code includes the provisions of public laws that have been adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue Code as defined under this paragraph and apply for Wisconsin purposes at the same time as for federal purposes.

4. Create sec. 71.22(4)(j) to read as follows:

(j) For taxable years that begin after December 31, 2013, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, except as provided in sub. (4m) and ss. 71.26(2)(b) and (3), 71.34(1g), and 71.42(2), and as provided in subds. 1. through 3.

1. The following provisions of federal public laws are excluded from the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013: section

13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section 403(q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28; section 11(e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B, and sections 312, 322, 502(c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

2. Amendments to the federal Internal Revenue Code enacted after December 31, 2013, do not apply except that the following provisions of federal public laws are included in the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013, and apply for Wisconsin purposes at the same time as for federal purposes: P.L. 113-97, P.L. 113-159, and P.L. 113-168.

3. The definition of the Internal Revenue Code includes the provisions of public laws that have been adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue Code as defined under this paragraph and apply for Wisconsin purposes at the same time as for federal purposes.

5. Create sec. 71.22(4m)(j) to read as follows:

(j) For taxable years that begin after December 31, 2013, "Internal Revenue Code," for corporations that are subject to a tax on unrelated business income under s. 71.26(1)(a), means the federal Internal Revenue Code as amended to December 31, 2013, and as provided in subds. 1. through 3.

1. The following provisions of federal public laws are excluded from the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section 403(q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28; section 11(e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B, and sections 312, 322, 502(c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

2. Amendments to the federal Internal Revenue Code enacted after December 31, 2013, do not apply except that the following provisions of federal public laws are included in the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013, and apply for Wisconsin purposes at the same time as for federal purposes: P.L. 113-97, P.L. 113-159, and P.L. 113-168.

3. The definition of the Internal Revenue Code includes the provisions of public laws that have been adopted for Wisconsin that directly or indirectly affect the federal Internal

Revenue Code as defined under this paragraph and apply for Wisconsin purposes at the same time as for federal purposes.

6. Create sec. 71.26(2)(b)10 to read as follows:

10. For taxable years that begin after December 31, 2013, for a corporation, conduit, or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit, real estate investment trust, or financial asset securitization investment trust under the Internal Revenue Code, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income, federal real estate investment trust or financial asset securitization investment trust taxable income of the corporation, conduit, or trust as determined under the Internal Revenue Code. "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, and as provided in subs. 10.a. through 10.c.

a. The Internal Revenue Code as amended to December 31, 2013, does not include the following provisions of federal public laws: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section 403(q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28; section 11(e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B, and sections 312, 322, 502(c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

b. Amendments to the federal Internal Revenue Code enacted after December 31, 2013, do not apply except that the following provisions of federal public laws are included in the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013, and apply for Wisconsin purposes at the same time as for federal purposes: P.L. 113-97, P.L. 113-159, and P.L. 113-168.

c. The definition of the Internal Revenue Code includes the provisions of public laws that have been adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue Code as defined under this subdivision and apply for Wisconsin purposes at the same time as for federal purposes.

7. Create sec. 71.34(1g)(j) to read as follows:

(j) For taxable years that begin after December 31, 2013, for tax-option corporations, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, and as provided in subs. 1. through 4.

1. The following provisions of federal public laws are excluded from the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and

422 of P.L. 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section 403(q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28; section 11(e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B, and sections 312, 322, 502(c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

2. Amendments to the federal Internal Revenue Code enacted after December 31, 2013, do not apply except that the following provisions of federal public laws are included in the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013, and apply for Wisconsin purposes at the same time as for federal purposes: P.L. 113-97, P.L. 113-159, and P.L. 113-168.

3. The definition of the Internal Revenue Code includes the provisions of public laws that have been adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue Code as defined under this paragraph and apply for Wisconsin purposes at the same time as for federal purposes.

4. Section 1366(f) of the Internal Revenue Code (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375.

8. Create sec. 71.42(2)(j) to read as follows:

(j) For taxable years that begin after December 31, 2013, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2013, and as provided in subds. 1. through 4.

1. The following provisions of federal public laws are excluded from the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L. 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L. 109-58; section 11146 of P.L. 109-59; section 403(q) of P.L. 109-135; section 513 of P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28; section 11(e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B, and sections 312, 322, 502(c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L. 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240.

2. Amendments to the federal Internal Revenue Code enacted after December 31, 2013, do not apply except that the following provisions of federal public laws are included in the definition of the Internal Revenue Code for taxable years that begin after December 31, 2013, and apply for Wisconsin purposes at the same time as for federal purposes: P.L. 113-97, P.L. 113-159, and P.L. 113-168.

3. The definition of the Internal Revenue Code includes the provisions of public laws that have been adopted for Wisconsin that directly or indirectly affect the federal Internal Revenue Code as defined under this paragraph and apply for Wisconsin purposes at the same time as for federal purposes.

4. "Internal Revenue Code" does not include section 847 of the federal Internal Revenue Code.

9. Amend secs. 71.01(6)(g), 71.22(4)(g), 71.22(4m)(g), 71.26(2)(b)7, 71.34(1g)(g), and 71.42(2)(g), Wis. Stats., to:

- Adopt P.L. 113-168

10. Amend secs. 71.01(6)(h), 71.22(4)(h), 71.22(4m)(h), 71.26(2)(b)8, 71.34(1g)(h) and 71.42(2)(h), Wis. Stats., to:

- Adopt P.L. 113-168

11. Amend secs. 71.01(6)(i), 71.22(4)(i), 71.22(4m)(i), 71.26(2)(b)9, 71.34(1g)(i), and 71.42(2)(i), Wis. Stats., to:

- Adopt P.L. 113-168