



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0275/P1
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DOA:.....Quinn, BB0040 - Internal Revenue Code update

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

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and the tribal general welfare exclusion act and the tribal general welfare exclusion act

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 The bill also eliminates outdated references contained within those definitions.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2 SECTION 1. 71.01 (6) (a) of the statutes is repealed.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:

Insert 1-2

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,

and P.L. 113-1685

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 amended
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.

1 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
2 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
3 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
4 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
5 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
6 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
7 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
8 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
9 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
10 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
11 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
12 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
13 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
14 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
15 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and
16 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217
17 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L.
18 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211,
19 40241, 40242, 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240. The
20 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
21 purposes, except that changes made by P.L. 106-573, sections 9004, 9005, 9012,
22 9013, 9014, 9016, and 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152,
23 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
24 40242, and 100121 of P.L. 112-141 do not apply for taxable years beginning before
25 January 1, 2013. Amendments to the federal Internal Revenue Code enacted after

and P.L. 113-168

and by P.L. 113-168

1 December 31, 2010, do not apply to this paragraph with respect to taxable years
2 beginning after December 31, 2010, except that changes to the Internal Revenue
3 Code made by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
4 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes that indirectly affect
5 the provisions applicable to this subchapter made by section 1858 of P.L. 112-10,
6 section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121 of P.L.
7 112-141, do not apply for taxable years beginning before January 1, 2013, and
8 changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112-240,
9 and changes that indirectly affect the provisions applicable to this subchapter made
10 by sections 101 and 902 of P.L. 112-240 apply for Wisconsin purposes at the same
11 time as for federal purposes. and by P.L. 113-168

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

13 71.01 (6) (j) 1. For taxable years beginning after December 31, 2013, for
14 individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or
15 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
16 as amended to December 31, 2013, except as provided in subds. 2. and 3. and subject
17 to subd. 4.

18 2. For purposes of this paragraph, "Internal Revenue Code" does not include
19 the following provisions of federal public laws for taxable years beginning after
20 December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
21 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
22 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
23 P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L.
24 110-28; section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections
25 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B,

1 and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110-343; sections
2 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213,
3 214, and 216 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322,
4 323, 324, 326, 327, and 411 of P.L. 112-240.

5 3. For purposes of this paragraph, "Internal Revenue Code" does not include
6 amendments to the federal Internal Revenue Code enacted after December 31, 2013,
7 except that "Internal Revenue Code" includes the provisions of the following federal
8 public laws:

9 a. P.L. 113-97.

10 b. P.L. 113-159.

11 c. P.L. 113-168.

12 4. For purposes of this paragraph, the provisions of federal public laws that are
13 included in the Internal Revenue Code, as defined in this paragraph, apply for
14 Wisconsin purposes at the same time as for federal purposes.

15 *Insert 6-14* SECTION 4. 71.22 (4) (a) of the statutes is repealed.

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

17 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
18 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
19 December 31, 2012, and before January 1, 2014, means the federal Internal Revenue
20 Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
21 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
22 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,
23 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section 431 of P.L.
24 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and 202 of P.L.
25 108-27, 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.

(7)
and P.L. 113-168, and as

1 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
 2 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section 301 of P.L.
 3 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
 4 (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L. 109-222,
 5 P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
 6 division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections
 7 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5
 8 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
 9 P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections
 10 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
 11 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
 12 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
 13 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
 14 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
 15 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
 16 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
 17 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
 18 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
 19 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858
 20 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
 21 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, indirectly affected in the
 22 provisions applicable to this subchapter by P.L. 99-514, excluding sections 803 (d)
 23 (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514, P.L. 100-203,
 24 P.L. 100-647, excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
 25 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections

1 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
2 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
3 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
4 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
5 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
6 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
7 P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.
8 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections
9 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.
10 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.
11 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.
12 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
13 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
14 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.
15 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
16 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.
17 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding
18 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
19 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,
20 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,
21 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,
22 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,
23 excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)
24 and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.
25 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.

⑨ ✓
and P.L. 113-168

1 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,
2 excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B
3 and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,
4 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
5 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections
6 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
7 10908, and 10909 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, P.L.
8 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of P.L. 111-226, sections
9 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L.
10 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121 of P.L.
11 112-141, ~~and~~ sections 101 and 902 of P.L. 112-240. The Internal Revenue Code
12 applies for Wisconsin purposes at the same time as for federal purposes, except that
13 changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
14 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, section 1858 of P.L.
15 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121
16 of P.L. 112-141 do not apply for taxable years beginning before January 1, 2013.
17 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
18 do not apply to this paragraph with respect to taxable years beginning after
19 December 31, 2010, except that changes to the Internal Revenue Code made by
20 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
21 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
22 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
23 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply
24 for taxable years beginning before January 1, 2013, and changes to the Internal
25 Revenue Code made by sections 101 and 902 of P.L. 112-240) and changes that

and by P.L. 113-168 ✓

and P.L. 113-168

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

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

5 71.22 (4) (j) 1. For taxable years beginning after December 31, 2013, "Internal
6 Revenue Code" means the federal Internal Revenue Code as amended to December
7 31, 2013, except as provided in subs. 2. and 3. and subject to subd. 4., and except
8 as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2).

9 2. For purposes of this paragraph, "Internal Revenue Code" does not include
10 the following provisions of federal public laws for taxable years beginning after
11 December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
12 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
13 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
14 P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L.
15 110-28; section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections
16 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B,
17 and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110-343; sections
18 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213,
19 214, and 216 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322,
20 323, 324, 326, 327, and 411 of P.L. 112-240.

21 3. For purposes of this paragraph, "Internal Revenue Code" does not include
22 amendments to the federal Internal Revenue Code enacted after December 31, 2013,
23 except that "Internal Revenue Code" includes the provisions of the following federal
24 public laws:

25 a. P.L. 113-97.

1

b. P.L. 113-159. [Ⓟ] c. P.L. 113-168,

2

4. For purposes of this paragraph, the provisions of federal public laws that are

3

included in the Internal Revenue Code, as defined in this paragraph, apply for

4

Wisconsin purposes at the same time as for federal purposes.

5

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

6

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

7

71.22 (4m) (i) For taxable years that begin after December 31, 2012, and before

8

January 1, 2014, "Internal Revenue Code," for corporations that are subject to a tax

9

on unrelated business income under s. 71.26 (1) (a), means the federal Internal

10

Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and

11

110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

12

103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,

13

sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, section

14

431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and

15

202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403

16

(a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and

17

910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,

18

1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59, section

19

301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402

20

(e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513 of P.L.

21

109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425

22

of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except

23

sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2,

24

3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.

25

110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,

Insert
11-5

and P.L. 113-168

1 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
2 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
3 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
4 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
5 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.
6 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021,
7 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections
8 1403 and 1407 of P.L. 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L.
9 111-226, except sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections
10 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amended
11 by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241,
12 40242, and 100121 of P.L. 112-141, ~~and~~ sections 101 and 902 of P.L. 112-240, and as
13 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
14 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
15 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
16 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
17 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
18 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
19 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
20 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.
21 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15,
22 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
23 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
24 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
25 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201

1 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
2 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
3 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
4 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
5 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
6 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
7 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
8 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
9 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
10 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
11 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
12 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
13 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
14 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
15 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
16 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
17 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
18 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
19 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
20 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
21 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and
22 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217
23 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L.
24 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211,
25 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240.

and P.L. 113-168

(28)
and by P.L. 113-168

1 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
2 federal purposes, except that changes made by P.L. 106-573, sections 9004, 9005,
3 9012, 9013, 9014, 9016, and 10902 of P.L. 111-148, sections 1403 and 1407 of P.L.
4 111-152, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211,
5 40241, 40242, and 100121 of P.L. 112-141 do not apply for taxable years beginning
6 before January 1, 2013. Amendments to the federal Internal Revenue Code enacted
7 after December 31, 2010, do not apply to this paragraph with respect to taxable years
8 beginning after December 31, 2010, except that changes to the Internal Revenue
9 Code made by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
10 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes that indirectly affect
11 the provisions applicable to this subchapter made by section 1858 of P.L. 112-10,
12 section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121 of P.L.
13 112-141, do not apply for taxable years beginning before January 1, 2013, and
14 changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112-240
15 and changes that indirectly affect the provisions applicable to this subchapter made
16 by sections 101 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same
17 time as for federal purposes.

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

19 71.22 (4m) (j) 1. For taxable years beginning after December 31, 2013,
20 "Internal Revenue Code", for corporations that are subject to a tax on unrelated
21 business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as
22 amended to December 31, 2013, except as provided in subds. 2. and 3. and subject
23 to subd. 4.

24 2. For purposes of this paragraph, "Internal Revenue Code" does not include
25 the following provisions of federal public laws for taxable years beginning after

1 December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
 2 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
 3 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
 4 P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L.
 5 110-28; section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections
 6 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B,
 7 and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110-343; sections
 8 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213,
 9 214, and 216 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322,
 10 323, 324, 326, 327, and 411 of P.L. 112-240.

11 3. For purposes of this paragraph, “Internal Revenue Code” does not include
 12 amendments to the federal Internal Revenue Code enacted after December 31, 2013,
 13 except that “Internal Revenue Code” includes the provisions of the following federal
 14 public laws:

15 a. P.L. 113-97.

16 b. P.L. 113-159.

17 c. P.L. 113-168.

18 4. For purposes of this paragraph, the provisions of federal public laws that are
 19 included in the Internal Revenue Code, as defined in this paragraph, apply for
 Wisconsin purposes at the same time as for federal purposes.

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

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

22 71.26 (2) (b) 9. For taxable years that begin after December 31, 2012, and
 23 before January 1, 2014, for a corporation, conduit, or common law trust which
 24 qualifies as a regulated investment company, real estate mortgage investment
 25 conduit, real estate investment trust, or financial asset securitization investment

Insert
15-20

1 trust under the Internal Revenue Code as amended to December 31, 2010, excluding
2 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
3 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
4 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165
5 of P.L. 106-554, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,
6 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
7 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336,
8 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309,
9 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section
10 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates
11 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
12 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410,
13 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
14 P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L.
15 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b),
16 (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245,
17 P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
18 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317,
19 P.L. 110-343, except sections 116, 208, 211, and 301 of division B and sections 313
20 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401,
21 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L.
22 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,
23 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L.
24 111-152, except sections 1403 and 1407 of P.L. 111-152, P.L. 111-203, except section
25 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and 217 of P.L. 111-226, P.L.

and P.L. 113-168,

1 111-240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L.
2 111-312, and as amended by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95,
3 sections 40211, 40241, 40242, and 100121 of P.L. 112-141, ~~and~~ sections 101 and 902
4 of P.L. 112-240,) and as indirectly affected in the provisions applicable to this
5 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
6 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
7 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
8 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
9 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
10 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
11 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
12 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
13 P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
14 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a)
15 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,
16 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
17 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
18 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
19 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
20 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
21 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
22 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
23 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
24 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
25 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,

and P.L. 113-168,

1 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
2 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,
3 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,
4 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)
5 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,
6 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding
7 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)
8 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
9 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
10 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
11 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004,
12 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
13 111-148, sections 1403 and 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L.
14 111-203, sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and
15 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L. 112-10, section 1108 of P.L.
16 112-95, sections 40211, 40241, 40242, and 100121 of P.L. 112-141, and sections 101
17 and 902 of P.L. 112-240, "net income" means the federal regulated investment
18 company taxable income, federal real estate mortgage investment conduit taxable
19 income, federal real estate investment trust or financial asset securitization
20 investment trust taxable income of the corporation, conduit, or trust as determined
21 under the Internal Revenue Code as amended to December 31, 2010, excluding
22 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
23 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
24 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165
25 of P.L. 106-554, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,

1 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
2 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336,
3 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309,
4 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section
5 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates
6 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
7 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410,
8 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
9 P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L.
10 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b),
11 (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245,
12 P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
13 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317,
14 P.L. 110-343, except sections 116, 208, 211, and 301 of division B and sections 313
15 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401,
16 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L.
17 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,
18 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L.
19 111-152, except sections 1403 and 1407 of P.L. 111-152, P.L. 111-203, except section
20 1601 of P.L. 111-203, P.L. 111-226, except sections 215 and 217 of P.L. 111-226, P.L.
21 111-240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L.
22 111-312, and as amendeded by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95,
23 sections 40211, 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902
24 of P.L. 112-240, and as indirectly affected in the provisions applicable to this
25 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,

and P.L. 113-168,

1 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
2 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
3 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
4 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
5 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
6 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
7 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
8 P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
9 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a)
10 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,
11 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,
12 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,
13 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,
14 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
15 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections
16 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
17 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding
18 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it
19 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.
20 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,
21 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
22 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,
23 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,
24 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)
25 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,

and P.L. 113-168,

1 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding
2 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)
3 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
4 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
5 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
6 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004,
7 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
8 111-148, section 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203,
9 sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L.
10 111-240, P.L. 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95,
11 sections 40211, 40241, 40242, and 100121 of P.L. 112-141, [↓]and sections 101 and 902
12 of P.L. 112-240, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,
13 is required to be depreciated for taxable years 1983 to 1986 under the Internal
14 Revenue Code as amended to December 31, 1980, shall continue to be depreciated
15 under the Internal Revenue Code as amended to December 31, 1980, and except that
16 the appropriate amount shall be added or subtracted to reflect differences between
17 the depreciation or adjusted basis for federal income tax purposes and the
18 depreciation or adjusted basis under this chapter of any property disposed of during
19 the taxable year. The Internal Revenue Code as amended to December 31, 2010,
20 excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171
21 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
22 1605 (d) of P.L. 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165
23 of P.L. 106-554, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,
24 sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,
25 308, 316, 401, and 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336,

1 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309,
 2 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section
 3 11146 of P.L. 109-59, section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates
 4 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101,
 5 207, 503, and 513 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410,
 6 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
 7 P.L. 110-28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L.
 8 110-140, sections 2, 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b),
 9 (e), and (g) of P.L. 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245,
 10 P.L. 110-246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
 11 110-246, sections 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317,
 12 P.L. 110-343, except sections 116, 208, 211, and 301 of division B and sections 313
 13 and 504 of division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401,
 14 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L.
 15 111-147, P.L. 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,
 16 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L.
 17 111-152, except section 1407 of P.L. 111-152, P.L. 111-203, except section 1601 of P.L.
 18 111-203, P.L. 111-226, except sections 215 and 217 of P.L. 111-226, P.L. 111-240,
 19 except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L. 111-312,
 20 and as amended by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections
 21 40211, 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L.
 22 112-240, and as indirectly affected in the provisions applicable to this subchapter by
 23 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
 24 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
 25 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150

and P.L. 113-168,

1 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
2 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
3 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
4 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
5 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573,
6 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.
7 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.
8 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,
9 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,
10 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,
11 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
12 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
13 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections
14 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
15 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding
16 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it
17 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.
18 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,
19 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
20 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,
21 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,
22 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)
23 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,
24 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding
25 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)

, and P.L. 113-168,

1 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
2 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,
3 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.
4 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004,
5 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
6 111-148, sections 1403 and 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L.
7 111-203, sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and
8 2113 of P.L. 111-240, P.L. 111-325, section 1858 of P.L. 112-10, section 1108 of P.L.
9 112-95, sections 40211, 40241, 40242, and 100121 of P.L. 112-141, [↓]and sections 101
10 and 902 of P.L. 112-240 applies for Wisconsin purposes at the same time as for
11 federal purposes, except that changes made by P.L. 106-573, sections 9004, 9005,
12 9012, 9013, 9014, 9016, and 10902 of P.L. 111-148, and sections 1403 and 1407 of P.L.
13 111-152, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211,
14 40241, 40242, and 100121 of P.L. 112-141 do not apply for taxable years beginning
15 before January 1, 2013. Amendments to the federal Internal Revenue Code enacted
16 after December 31, 2010, do not apply to this paragraph with respect to taxable years
17 beginning after December 31, 2010, except that changes to the Internal Revenue
18 Code made by section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
19 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes that indirectly affect
20 the provisions applicable to this subchapter made by section 1858 of P.L. 112-10,
21 section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121 of P.L.
22 112-141, do not apply for taxable years beginning before January 1, 2013, and
23 changes to the Internal Revenue Code made by sections 101 and 902 of P.L. 112-240
24 and changes that indirectly affect the provisions applicable to this subchapter made

and by P.L. 113-168

and by P.L. 113-168

1 by sections 101 and 902 of P.L. 112-240 apply for Wisconsin purposes at the same
2 time as for federal purposes.

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

4 71.26 (2) (b) 10. a. For taxable years beginning after December 31, 2013, for a
5 corporation, conduit, or common law trust which qualifies as a regulated investment
6 company, real estate mortgage investment conduit, real estate investment trust, or
7 financial asset securitization investment trust under the Internal Revenue Code,
8 “net income” means the federal regulated investment company taxable income,
9 federal real estate mortgage investment conduit taxable income, federal real estate
10 investment trust or financial asset securitization investment trust taxable income
11 of the corporation, conduit, or trust as determined under the Internal Revenue Code.

12 b. For purposes of subd. 10. a., “Internal Revenue Code” means the federal
13 Internal Revenue Code as amended to December 31, 2013, except as provided in
14 subds. 10. c. and 10. d. and subject to subd. 10. e.

15 c. For purposes of subd. 10. a., “Internal Revenue Code” does not include the
16 following provisions of federal public laws for taxable years beginning after
17 December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
18 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
19 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
20 P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L.
21 110-28; section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections
22 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B,
23 and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110-343; sections
24 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213,

1 214, and 216 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322,
2 323, 324, 326, 327, and 411 of P.L. 112-240.

3 d. For purposes of subd. 10. a., "Internal Revenue Code" does not include
4 amendments to the federal Internal Revenue Code enacted after December 31, 2013,
5 except that "Internal Revenue Code" includes the provisions of P.L. 113-97 and P.L.
6 113-159, and P.L. 113-168

7 e. For purposes of subd. 10. a., the provisions of federal public laws that are
8 included in the Internal Revenue Code, as defined in this subdivision, apply for
9 Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 13.** 71.34 (1g) (a) of the statutes is repealed.

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

12 71.34 (1g) (i) "Internal Revenue Code" for tax-option corporations, for taxable
13 years that begin after December 31, 2012, and before January 1, 2014, means the
14 federal Internal Revenue Code as amended to December 31, 2010, excluding sections
15 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and
16 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
17 104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,
18 section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201,
19 and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and
20 403 (a) of P.L. 108-311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909,
21 and 910 of P.L. 108-357, P.L. 109-1, sections 1305, 1308, 1309, 1310, 1323, 1324,
22 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, section 11146 of P.L. 109-59,
23 section 301 of P.L. 109-73, sections 101, 105, 201 (a) as it relates to section 1400S (a),
24 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, sections 101, 207, 503, and 513
25 of P.L. 109-222, P.L. 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424,

insert
26-10

and P.L. 113-168,

1 and 425 of division A and section 403 of division C of P.L. 109-432, P.L. 110-28, except
2 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2,
3 3, and 5 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L.
4 110-172, P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246,
5 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections
6 3071, 3081, and 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343,
7 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of
8 division C of P.L. 110-343, P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521,
9 1522, 1531, and 1541 of division B of P.L. 111-5, section 201 of P.L. 111-147, P.L.
10 111-148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021,
11 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections
12 1403 and 1407 of P.L. 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L.
13 111-226, except sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections
14 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L. 111-312, and as amendeded by
15 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242,
16 and 100121 of P.L. 112-141, [↓] ~~and~~ sections 101 and 902 of P.L. 112-240, and as
17 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,
18 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
19 of P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding section 1008 (g) (5) of P.L.
20 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
21 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
22 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
23 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.
24 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
25 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.

1 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,
2 excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L.
3 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
4 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L.
5 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections
6 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201
7 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,
8 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102,
9 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,
10 P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310,
11 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59,
12 excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L.
13 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section
14 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L.
15 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227,
16 P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
17 and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and
18 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.
19 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,
20 P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314,
21 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and
22 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections
23 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
24 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522,
25 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding

and P.L. 113-168,

1 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,
2 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and
3 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217
4 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, P.L.
5 111-325, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211,
6 40241, 40242, and 100121 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240,
7 except that section 1366 (f) (relating to pass-through of items to shareholders) is
8 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
9 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
10 as for federal purposes, except that changes made by P.L. 106-573, sections 9004,
11 9005, 9012, 9013, 9014, 9016, and 10902 of P.L. 111-148, sections 1403 and 1407 of
12 P.L. 111-152, section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections
13 40211, 40241, 40242, and 100121 of P.L. 112-141 do not apply for taxable years
14 beginning before January 1, 2013. Amendments to the federal Internal Revenue
15 Code enacted after December 31, 2010, do not apply to this paragraph with respect
16 to taxable years beginning after December 31, 2010, except that changes to the
17 Internal Revenue Code made by section 1858 of P.L. 112-10, section 1108 of P.L.
18 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, and changes
19 that indirectly affect the provisions applicable to this subchapter made by section
20 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242,
21 and 100121 of P.L. 112-141, do not apply for taxable years beginning before January
22 1, 2013, and changes to the Internal Revenue Code made by sections 101 and 902 of
23 P.L. 112-240, and changes that indirectly affect the provisions applicable to this
24 subchapter made by sections 101 and 902 of P.L. 112-240, apply for Wisconsin
25 purposes at the same time as for federal purposes.

and by P.L. 113-168

(2x)

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

2 71.34 (1g) (j) 1. For taxable years beginning after December 31, 2013, for tax
3 option corporations, “Internal Revenue Code” means the federal Internal Revenue
4 Code as amended to December 31, 2013, except as provided in subds. 2., 3., and 5. and
5 subject to subd. 4.

6 2. For purposes of this paragraph, “Internal Revenue Code” does not include
7 the following provisions of federal public laws for taxable years beginning after
8 December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5. of P.L.
9 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
10 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
11 P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L.
12 110-28; section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections
13 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B,
14 and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110-343; sections
15 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213,
16 214, and 216 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322,
17 323, 324, 326, 327, and 411 of P.L. 112-240.

18 3. For purposes of this paragraph, “Internal Revenue Code” does not include
19 amendments to the federal Internal Revenue Code enacted after December 31, 2013,
20 except that “Internal Revenue Code” includes the provisions of the following federal
21 public laws:

22 a. P.L. 113-97.

23 b. P.L. 113-159.

c. P.L. 113-168.

1 4. For purposes of this paragraph, the provisions of federal public laws that are
2 included in the Internal Revenue Code, as defined in this paragraph, apply for
3 Wisconsin purposes at the same time as for federal purposes.

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

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

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

10 71.42 (2) (i) For taxable years that begin after December 31, 2012, and before
11 January 1, 2014, “Internal Revenue Code” means the federal Internal Revenue Code
12 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.
13 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
14 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,
15 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L.
16 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.
17 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.
18 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.
19 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
20 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.
21 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
22 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,
23 P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of
24 division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections
25 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5

Insert
31-8

1 of P.L. 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
2 P.L. 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections
3 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
4 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
5 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
6 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
7 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
8 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
9 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
10 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
11 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
12 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858
13 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
14 of P.L. 112-141, [↓]and sections 101 and 902 of P.L. 112-240, and as indirectly affected
15 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,
16 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
17 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
18 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
19 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
20 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
21 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
22 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573,
23 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
24 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L.
25 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,

and P.L. 113-168,

1 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,
2 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,
3 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,
4 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of
5 P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections
6 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.
7 109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding
8 section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it
9 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.
10 109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,
11 P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425
12 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,
13 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,
14 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)
15 of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,
16 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding
17 sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)
18 of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504
19 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,
20 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.
21 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004,
22 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L.
23 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L.
24 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and
25 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L. 112–10, section 1108 of P.L.

and P.L. 113-168,

1 112-95, sections 40211, 40241, 40242, and 100121 of P.L. 112-141, ~~and~~ sections 101
2 and 902 of P.L. 112-240, except that "Internal Revenue Code" does not include
3 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
4 applies for Wisconsin purposes at the same time as for federal purposes, except that
5 changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, 9016, and
6 10902 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, section 1858 of P.L.
7 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241, 40242, and 100121
8 of P.L. 112-141 do not apply for taxable years beginning before January 1, 2013.
9 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
10 do not apply to this paragraph with respect to taxable years beginning after
11 December 31, 2010, except that changes to the Internal Revenue Code made by
12 section 1858 of P.L. 112-10, section 1108 of P.L. 112-95, and sections 40211, 40241,
13 40242, and 100121 of P.L. 112-141, and changes that indirectly affect the provisions
14 applicable to this subchapter made by section 1858 of P.L. 112-10, section 1108 of P.L.
15 112-95, and sections 40211, 40241, 40242, and 100121 of P.L. 112-141, do not apply
16 for taxable years beginning before January 1, 2013, and changes to the Internal
17 Revenue Code made by sections 101 and 902 of P.L. 112-240, and changes that
18 indirectly affect the provisions applicable to this subchapter made by sections 101
19 and 902 of P.L. 112-240, apply for Wisconsin purposes at the same time as for federal
20 purposes.

and by P.L. 113-168

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

22 71.42 (2) (j) 1. For taxable years beginning after December 31, 2013, "Internal
23 Revenue Code" means the federal Internal Revenue Code as amended to December
24 31, 2013, except as provided in subds. 2. to 4. and subject to subd. 5.

1 2. For purposes of this paragraph, “Internal Revenue Code” does not include
2 the following provisions of federal public laws for taxable years beginning after
3 December 31, 2013: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
4 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
5 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
6 P.L. 109-222; sections 104 and 307 of P.L. 109-432; sections 8233 and 8235 of P.L.
7 110-28; section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; sections
8 15303 and 15351 of P.L. 110-246; section 302 of division A, section 401 of division B,
9 and sections 312, 322, 502 (c), 707, and 801 of division C of P.L. 110-343; sections
10 1232, 1241, 1251, 1501, and 1502 of division B of P.L. 111-5; sections 211, 212, 213,
11 214, and 216 of P.L. 111-312; section 1106 of P.L. 112-95; and sections 104, 318, 322,
12 323, 324, 326, 327, and 411 of P.L. 112-240.

13 3. For purposes of this paragraph, “Internal Revenue Code” does not include
14 amendments to the federal Internal Revenue Code enacted after December 31, 2013,
15 except that “Internal Revenue Code” includes the provisions of the following federal
16 public laws:

17 a. P.L. 113-97.

18 b. P.L. 113-159.

19 ~~c. P.L. 113-168.~~

20 4. For purposes of this paragraph, “Internal Revenue Code” does not include
21 section 847 of the federal Internal Revenue Code.

22 5. For purposes of this paragraph, the provisions of federal public laws that are
23 included in the Internal Revenue Code, as defined in this paragraph, apply for
24 Wisconsin purposes at the same time as for federal purposes.

(END)