

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 sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section
18 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L.
19 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.
20 111–312, and as amendeded by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95,
21 sections 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902
22 of P.L. 112–240, and P.L. 113–168, and as indirectly affected in the provisions
23 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
24 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
25 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.

SECTION 2252

1 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
2 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
3 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
4 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
5 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections
6 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding
7 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,
8 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.
9 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.
10 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.
11 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403
12 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,
13 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,
14 P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
15 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.
16 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding
17 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
18 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,
19 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,
20 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,
21 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,
22 excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)
23 and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.
24 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.
25 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,

1 excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B
2 and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,
3 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
4 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections
5 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
6 10908, and 10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L.
7 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections
8 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L.
9 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L.
10 112–141, and sections 101 and 902 of P.L. 112–240, and P.L. 113–168, “net income”
11 means the federal regulated investment company taxable income, federal real estate
12 mortgage investment conduit taxable income, federal real estate investment trust
13 or financial asset securitization investment trust taxable income of the corporation,
14 conduit, or trust as determined under the Internal Revenue Code as amended to
15 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections
16 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
17 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.
18 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections
19 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section
20 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections
21 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L.
22 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,
23 and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73,
24 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
25 (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L.

SECTION 2252

1 109-432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division
2 A and section 403 of division C of P.L. 109-432, P.L. 110-28, except sections 8215,
3 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-140, sections 2, 3, and 5 of P.L.
4 110-142, P.L. 110-166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172, P.L.
5 110-185, P.L. 110-234, section 301 of P.L. 110-245, P.L. 110-246, except sections 4,
6 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, sections 3071, 3081, and
7 3082 of P.L. 110-289, section 9 (e) of P.L. 110-317, P.L. 110-343, except sections 116,
8 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110-343,
9 P.L. 111-5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of
10 division B of P.L. 111-5, section 201 of P.L. 111-147, P.L. 111-148, except sections
11 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
12 10908, and 10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L.
13 111-152, P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except
14 sections 215 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111,
15 2112, and 2113 of P.L. 111-240, and P.L. 111-312, and as amendeded by section 1858
16 of P.L. 112-10, section 1108 of P.L. 112-95, sections 40211, 40241, 40242, and 100121
17 of P.L. 112-141, and sections 101 and 902 of P.L. 112-240, and P.L. 113-168, and as
18 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
19 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
20 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
21 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
22 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
23 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
24 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
25 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.

1 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15,
2 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
3 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.
4 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections
5 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201
6 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,
7 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,
8 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,
9 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,
10 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,
11 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.
12 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section
13 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.
14 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,
15 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
16 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and
17 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.
18 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,
19 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,
20 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and
21 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections
22 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
23 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,
24 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding
25 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,

SECTION 2252

1 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, section 1407 of
2 P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L.
3 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325,
4 section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242,
5 and 100121 of P.L. 112–141, and sections 101 and 902 of P.L. 112–240, and P.L.
6 113–168, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is
7 required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue
8 Code as amended to December 31, 1980, shall continue to be depreciated under the
9 Internal Revenue Code as amended to December 31, 1980, and except that the
10 appropriate amount shall be added or subtracted to reflect differences between the
11 depreciation or adjusted basis for federal income tax purposes and the depreciation
12 or adjusted basis under this chapter of any property disposed of during the taxable
13 year. The Internal Revenue Code as amended to December 31, 2010, excluding
14 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
15 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and
16 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165
17 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,
18 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,
19 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,
20 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,
21 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section
22 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates
23 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,
24 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410,
25 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,

1 P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.
2 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),
3 (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,
4 P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.
5 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,
6 P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313
7 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,
8 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.
9 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,
10 9014, 9016, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L.
11 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L.
12 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240,
13 except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312,
14 and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, sections
15 40211, 40241, 40242, and 100121 of P.L. 112–141, and sections 101 and 902 of P.L.
16 112–240, and P.L. 113–168, and as indirectly affected in the provisions applicable to
17 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
18 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
19 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
20 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
21 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
22 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
23 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
24 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of
25 P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.

SECTION 2252

1 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
2 101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
3 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
4 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.
5 108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.
6 108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,
7 847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.
8 109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,
9 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.
10 109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding
11 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and
12 (q), and 405 of P.L. 109-135, P.L. 109-151, P.L. 109-222, excluding sections 101, 207,
13 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410,
14 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109-432,
15 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142,
16 excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)
17 and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.
18 110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.
19 110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,
20 excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B
21 and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,
22 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.
23 111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections
24 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9016, 9021, 9022, 10108, 10902,
25 10908, and 10909 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, P.L.

1 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections
2 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, P.L. 111–325, section 1858 of P.L.
3 112–10, section 1108 of P.L. 112–95, sections 40211, 40241, 40242, and 100121 of P.L.
4 112–141, and sections 101 and 902 of P.L. 112–240, and P.L. 113–168, applies for
5 Wisconsin purposes at the same time as for federal purposes, except that changes
6 made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, 9016, and 10902 of P.L.
7 111–148, and sections 1403 and 1407 of P.L. 111–152, section 1858 of P.L. 112–10,
8 section 1108 of P.L. 112–95, and sections 40211, 40241, 40242, and 100121 of P.L.
9 112–141 do not apply for taxable years beginning before January 1, 2013.
10 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
11 do not apply to this paragraph with respect to taxable years beginning after
12 December 31, 2010, except that changes to the Internal Revenue Code made by
13 section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211, 40241,
14 40242, and 100121 of P.L. 112–141, and changes that indirectly affect the provisions
15 applicable to this subchapter made by section 1858 of P.L. 112–10, section 1108 of P.L.
16 112–95, and sections 40211, 40241, 40242, and 100121 of P.L. 112–141, do not apply
17 for taxable years beginning before January 1, 2013, and changes to the Internal
18 Revenue Code made by sections 101 and 902 of P.L. 112–240 and by P.L. 113–168, and
19 changes that indirectly affect the provisions applicable to this subchapter made by
20 sections 101 and 902 of P.L. 112–240 and by P.L. 113–168, apply for Wisconsin
21 purposes at the same time as for federal purposes.

22 ***-0275/P3.20*SECTION 2253.** 71.26 (2) (b) 10. of the statutes is created to read:

23 71.26 (2) (b) 10. a. For taxable years beginning after December 31, 2013, for a
24 corporation, conduit, or common law trust which qualifies as a regulated investment
25 company, real estate mortgage investment conduit, real estate investment trust, or

SECTION 2253

1 financial asset securitization investment trust under the Internal Revenue Code,
2 “net income” means the federal regulated investment company taxable income,
3 federal real estate mortgage investment conduit taxable income, federal real estate
4 investment trust or financial asset securitization investment trust taxable income
5 of the corporation, conduit, or trust as determined under the Internal Revenue Code.

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

9 c. For purposes of subd. 10. a., “Internal Revenue Code” does not include the
10 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. 111–226; sections 2011 and 2122 of P.L. 111–240; sections 753,
20 754, and 760 of P.L. 111–312; section 1106 of P.L. 112–95; and sections 104, 318, 322,
21 323, 324, 326, 327, and 411 of P.L. 112–240.

22 d. For purposes of subd. 10. a., “Internal Revenue Code” does not include
23 amendments to the federal Internal Revenue Code enacted after December 31, 2013,
24 except that “Internal Revenue Code” includes the provisions of P.L. 113–97, P.L.
25 113–159, and P.L. 113–168.

1 e. For purposes of subd. 10. a., the provisions of federal public laws that directly
2 or indirectly affect the Internal Revenue Code, as defined in this subdivision, apply
3 for Wisconsin purposes at the same time as for federal purposes.

4 ~~*-1018/P2.31~~ **SECTION 2254.** 71.26 (3) (n) of the statutes is amended to read:

5 71.26 (3) (n) Sections 381, 382 and 383 (relating to carry-overs in certain
6 corporate acquisitions) are modified so that they apply to losses under sub. (4) and
7 credits under s. 71.28 (1di), (1dL), (1dm), (1dx), (3), (4), (4m), and (5) instead of to
8 federal credits and federal net operating losses.

9 ~~*-1215/P3.180~~ **SECTION 2255.** 71.28 (1) (a) of the statutes is amended to read:

10 71.28 (1) (a) Any corporation which contributes an amount to the community
11 development finance authority under s. 233.03, 1985 stats., or to the housing and
12 economic development authority under s. 234.03 (32), 2013 stats., or to the Forward
13 Wisconsin Development Authority on behalf of the community development finance
14 company under s. 235.95 and, in the same year, purchases common stock or
15 partnership interests of the community development finance company issued under
16 s. 233.05 (2), 1985 stats., or s. 234.95 (2), 2013 stats., or 235.95 in an amount no
17 greater than the contribution to the authority may credit against taxes otherwise
18 due an amount equal to 75% of the purchase price of the stock or partnership
19 interests. The credit received under this paragraph may not exceed 75% of the
20 contribution to the community development finance authority.

21 ~~*-1018/P2.32~~ **SECTION 2256.** 71.28 (1dd) of the statutes is repealed.

22 ~~*-1018/P2.33~~ **SECTION 2257.** 71.28 (1de) of the statutes is repealed.

23 ~~*-1018/P2.34~~ **SECTION 2258.** 71.28 (1di) of the statutes is repealed.

24 ~~*-1018/P2.35~~ **SECTION 2259.** 71.28 (1dj) of the statutes is repealed.

25 ~~*-1018/P2.36~~ **SECTION 2260.** 71.28 (1dL) of the statutes is repealed.

SECTION 2261

1 ***-1215/P3.181*****SECTION 2261.** 71.28 (1dm) (a) 1. of the statutes is amended to
2 read:

3 71.28 (1dm) (a) 1. “Certified” means entitled under s. 235.395 (3) (a) 4. or s.
4 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
5 or certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013
6 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
7 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

8 ***-1215/P3.182*****SECTION 2262.** 71.28 (1dm) (a) 3. of the statutes is amended to
9 read:

10 71.28 (1dm) (a) 3. “Development zone” means a development opportunity zone
11 under s. 235.395 (1) (e) and (f) or 235.398 or s. 238.395 (1) (e) and (f), 2013 stats., or
12 s. 238.398, 2013 stats., or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009
13 stats., or an airport development zone under s. 235.3995 or s. 238.3995, 2013 stats.,
14 or s. 560.7995, 2009 stats.

15 ***-1215/P3.183*****SECTION 2263.** 71.28 (1dm) (a) 4. of the statutes is amended to
16 read:

17 71.28 (1dm) (a) 4. “Previously owned property” means real property that the
18 claimant or a related person owned during the 2 years prior to the department of
19 commerce or the Wisconsin Economic Development Corporation or the Forward
20 Wisconsin Development Authority designating the place where the property is
21 located as a development zone and for which the claimant may not deduct a loss from
22 the sale of the property to, or an exchange of the property with, the related person
23 under section 267 of the Internal Revenue Code, except that section 267 (b) of the
24 Internal Revenue Code is modified so that if the claimant owns any part of the

1 property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of
2 the Internal Revenue Code for purposes of this subsection.

3 *–1215/P3.184*SECTION 2264. 71.28 (1dm) (f) 1. of the statutes is amended to
4 read:

5 71.28 (1dm) (f) 1. A copy of the verification that the claimant may claim tax
6 benefits under s. 235.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795
7 (3) (a) 4., 2009 stats., or is certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4)
8 or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats.,
9 or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

10 *–1215/P3.185*SECTION 2265. 71.28 (1dm) (f) 2. of the statutes is amended to
11 read:

12 71.28 (1dm) (f) 2. A statement from the department of commerce or the
13 Wisconsin Economic Development Corporation or the Forward Wisconsin
14 Development Authority verifying the purchase price of the investment and verifying
15 that the investment fulfills the requirements under par. (b).

16 *–1215/P3.186*SECTION 2266. 71.28 (1dm) (i) of the statutes is amended to
17 read:

18 71.28 (1dm) (i) Partnerships, limited liability companies, and tax-option
19 corporations may not claim the credit under this subsection, but the eligibility for,
20 and the amount of, that credit shall be determined on the basis of their economic
21 activity, not that of their shareholders, partners, or members. The corporation,
22 partnership, or limited liability company shall compute the amount of credit that
23 may be claimed by each of its shareholders, partners, or members and provide that
24 information to its shareholders, partners, or members. Partners, members of limited
25 liability companies, and shareholders of tax-option corporations may claim the

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1 credit based on the partnership's, company's, or corporation's activities in proportion
2 to their ownership interest and may offset it against the tax attributable to their
3 income from the partnership's, company's, or corporation's business operations in the
4 development zone; except that partners, members, and shareholders in a
5 development zone under s. 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s.
6 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax
7 attributable to their income.

8 ***-1215/P3.187*SECTION 2267.** 71.28 (1dm) (j) of the statutes is amended to
9 read:

10 71.28 (1dm) (j) If a person who is entitled under s. 235.395 (3) (a) 4. or s. 238.395
11 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes
12 ineligible for such tax benefits, or if a person's certification under s. 235.395 (5),
13 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats.,
14 or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,
15 or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this
16 subsection for the taxable year that includes the day on which the person becomes
17 ineligible for tax benefits, the taxable year that includes the day on which the
18 certification is revoked, or succeeding taxable years, and that person may carry over
19 no unused credits from previous years to offset tax under this chapter for the taxable
20 year that includes the day on which the person becomes ineligible for tax benefits,
21 the taxable year that includes the day on which the certification is revoked, or
22 succeeding taxable years.

23 ***-1215/P3.188*SECTION 2268.** 71.28 (1dm) (k) of the statutes is amended to
24 read:

1 71.28 (1dm) (k) If a person who is entitled under s. 235.395 (3) (a) 4. or s.
2 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
3 or certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013
4 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
5 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business
6 operations in the development zone during any of the taxable years that that zone
7 exists, that person may not carry over to any taxable year following the year during
8 which operations cease any unused credits from the taxable year during which
9 operations cease or from previous taxable years.

10 *~~1018/P2.37~~*SECTION 2269. 71.28 (1dr) of the statutes is repealed.

11 *~~1018/P2.38~~*SECTION 2270. 71.28 (1ds) of the statutes is repealed.

12 *~~1215/P3.189~~*SECTION 2271. 71.28 (1dx) (a) 2. of the statutes is amended to
13 read:

14 71.28 (1dx) (a) 2. “Development zone” means a development zone under s.
15 235.30 or s. 238.30, 2013 stats., or s. 560.70, 2009 stats., a development opportunity
16 zone under s. 235.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats., an
17 enterprise development zone under s. 235.397 or s. 238.397, 2013 stats., or s.
18 560.797, 2009 stats., an agricultural development zone under s. 235.398 or s.
19 238.398, 2013 stats., or s. 560.798, 2009 stats., or an airport development zone under
20 s. 235.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

21 *~~1018/P2.39~~*SECTION 2272. 71.28 (1dx) (a) 3. of the statutes is amended to
22 read:

23 71.28 (1dx) (a) 3. “Environmental remediation” means removal or
24 containment of environmental pollution, as defined in s. 299.01 (4), and restoration
25 of soil or groundwater that is affected by environmental pollution, as defined in s.

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1 299.01 (4), in a brownfield if that removal, containment or restoration fulfills the
2 requirement under sub. (1de) (a) 1., 2013 stats., and investigation unless the
3 investigation determines that remediation is required and that remediation is not
4 undertaken.

5 ***-1215/P3.190*****SECTION 2273.** 71.28 (1dx) (a) 4. of the statutes is amended to
6 read:

7 71.28 (1dx) (a) 4. “Full-time job” has the meaning given in s. ~~238.30~~ 235.30
8 (2m).

9 ***-1018/P2.40*****SECTION 2274.** 71.28 (1dx) (a) 5. of the statutes is amended to
10 read:

11 71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides
12 in an area designated by the federal government as an economic revitalization area,
13 a person who is employed in an unsubsidized job but meets the eligibility
14 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
15 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
16 in a trial employment match program job, as defined in s. 49.141 (1) (n), a person who
17 is eligible for child care assistance under s. 49.155, a person who is a vocational
18 rehabilitation referral, an economically disadvantaged youth, an economically
19 disadvantaged veteran, a supplemental security income recipient, a general
20 assistance recipient, an economically disadvantaged ex-convict, a qualified summer
21 youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in
22 29 USC 2801 (9), or a food stamp recipient, if the person has been certified in the
23 manner under sub. (1dj) (am) 3., 2013 stats., by a designated local agency, as defined
24 in sub. (1dj) (am) 2., 2013 stats.

1 ***-1215/P3.191***SECTION 2275. 71.28 (1dx) (b) (intro.) of the statutes is
2 amended to read:

3 71.28 (1dx) (b) *Credit*. (intro.) Except as provided in pars. (be) and (bg) and
4 in s. 73.03 (35), and subject to s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009
5 stats., for any taxable year for which the person is entitled under s. 235.395 (3) or s.
6 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified
7 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or s. 238.365 (3), 2013
8 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
9 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
10 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the
11 taxes otherwise due under this chapter the following amounts:

12 ***-1215/P3.192***SECTION 2276. 71.28 (1dx) (b) 2. of the statutes is amended to
13 read:

14 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
15 determined under s. 235.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1)
16 (b), 2009 stats., by the number of full-time jobs created in a development zone and
17 filled by a member of a targeted group and by then subtracting the subsidies paid
18 under s. 49.147 (3) (a) for those jobs.

19 ***-1215/P3.193***SECTION 2277. 71.28 (1dx) (b) 3. of the statutes is amended to
20 read:

21 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
22 determined under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
23 (c), 2009 stats., by the number of full-time jobs created in a development zone and
24 not filled by a member of a targeted group and by then subtracting the subsidies paid
25 under s. 49.147 (3) (a) for those jobs.

1 ***-1215/P3.194***SECTION 2278. 71.28 (1dx) (b) 4. of the statutes is amended to
2 read:

3 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
4 determined under s. 235.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785
5 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided ~~in the~~
6 ~~rules under s. 235.385 or s. 238.385, 2013 stats.~~, or s. 560.785, 2009 stats., ~~excluding~~
7 ~~jobs for which a credit has been claimed under sub. (1dj),~~ in an enterprise
8 development zone under s. 235.397 or s. 238.397, 2013 stats., or s. 560.797, 2009
9 stats., and for which significant capital investment was made and by then
10 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

 ****NOTE: This is reconciled s. 71.28 (1dx) (b) 4. This SECTION has been affected by
drafts with the following LRB numbers: -1018/P1 and -1215/P2.

11 ***-1215/P3.195***SECTION 2279. 71.28 (1dx) (b) 5. of the statutes is amended to
12 read:

13 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
14 determined under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
15 (c), 2009 stats., by the number of full-time jobs retained, as provided ~~in the rules~~
16 ~~under s. 235.385 or s. 238.385, 2013 stats.~~, or s. 560.785, 2009 stats., ~~excluding jobs~~
17 ~~for which a credit has been claimed under sub. (1dj),~~ in a development zone and not
18 filled by a member of a targeted group and by then subtracting the subsidies paid
19 under s. 49.147 (3) (a) for those jobs.

 ****NOTE: This is reconciled s. 71.28 (1dx) (b) 5. This SECTION has been affected by
drafts with the following LRB numbers: -1018/P1 and -1215/P2.

20 ***-1215/P3.196***SECTION 2280. 71.28 (1dx) (be) of the statutes is amended to
21 read:

1 71.28 (1dx) (be) *Offset*. A claimant in a development zone under s. 235.395 (1)
2 (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset any
3 credits claimed under this subsection, including any credits carried over, against the
4 amount of the tax otherwise due under this subchapter attributable to all of the
5 claimant's income and against the tax attributable to income from directly related
6 business operations of the claimant.

7 *~~-1215/P3.197~~*SECTION 2281. 71.28 (1dx) (bg) of the statutes is amended to
8 read:

9 71.28 (1dx) (bg) *Other entities*. For claimants in a development zone under s.
10 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats.,
11 partnerships, limited liability companies, and tax-option corporations may not
12 claim the credit under this subsection, but the eligibility for, and amount of, that
13 credit shall be determined on the basis of their economic activity, not that of their
14 shareholders, partners, or members. The corporation, partnership, or company shall
15 compute the amount of the credit that may be claimed by each of its shareholders,
16 partners, or members and shall provide that information to each of its shareholders,
17 partners, or members. Partners, members of limited liability companies, and
18 shareholders of tax-option corporations may claim the credit based on the
19 partnership's, company's, or corporation's activities in proportion to their ownership
20 interest and may offset it against the tax attributable to their income.

21 *~~-1215/P3.198~~*SECTION 2282. 71.28 (1dx) (c) of the statutes is amended to
22 read:

23 71.28 (1dx) (c) *Credit precluded*. If the certification of a person for tax benefits
24 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or s. 238.365 (3), 2013
25 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013

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1 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
2 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible
3 for tax benefits under s. 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3),
4 2009 stats., that person may not claim credits under this subsection for the taxable
5 year that includes the day on which the certification is revoked; the taxable year that
6 includes the day on which the person becomes ineligible for tax benefits; or
7 succeeding taxable years and that person may not carry over unused credits from
8 previous years to offset tax under this chapter for the taxable year that includes the
9 day on which certification is revoked; the taxable year that includes the day on which
10 the person becomes ineligible for tax benefits; or succeeding taxable years.

11 ***-1215/P3.199*SECTION 2283.** 71.28 (1dx) (d) of the statutes is amended to
12 read:

13 71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.
14 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax
15 benefits or certified under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or
16 s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or
17 s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,
18 s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases
19 business operations in the development zone during any of the taxable years that
20 that zone exists, that person may not carry over to any taxable year following the
21 year during which operations cease any unused credits from the taxable year during
22 which operations cease or from previous taxable years.

23 ***-1018/P2.41*SECTION 2284.** 71.28 (1dx) (e) of the statutes is renumbered
24 71.28 (1dx) (e) 1. and amended to read:

1 71.28 (1dx) (e) 1. Subsection (4) (e) to (h), as it applies to the credit under sub.
2 (4), applies to the credit under this subsection. ~~Subsection (1dj) (e), as it applies to~~
3 ~~the credit under sub. (1dj), applies to the credit under this subsection.~~ Claimants
4 shall include with their returns a copy of their certification for tax benefits and a copy
5 of the department of commerce’s verification of their expenses.

6 *~~1018/P2.42~~SECTION 2285. 71.28 (1dx) (e) 2. of the statutes is created to
7 read:

8 71.28 (1dx) (e) 2. The credit under this subsection may not be claimed by
9 partnerships, limited liability companies and tax-option corporations but the
10 eligibility for, and the amount of, that credit shall be determined on the basis of their
11 economic activity, not that of their shareholders, partners or members. The
12 corporation, partnership or limited liability company shall compute the amount of
13 credit that may be claimed by each of its shareholders, partners or members and
14 shall provide that information to each of its shareholders, partners or members.
15 That credit may be claimed by partners, members of limited liability companies and
16 shareholders of tax-option corporations in proportion to their ownership interests.

17 *~~1215/P3.200~~SECTION 2286. 71.28 (1dy) (a) of the statutes is amended to
18 read:

19 71.28 (1dy) (a) *Definition*. In this subsection, “claimant” means a person who
20 files a claim under this subsection and is certified under s. 235.301 (2) or s. 238.301
21 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits
22 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

23 *~~1215/P3.201~~SECTION 2287. 71.28 (1dy) (b) of the statutes is amended to
24 read:

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1 71.28 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection
2 and ss. 235.301 to 235.306 or ss. 238.301 to 238.306, 2013 stats., or s. 560.701 to
3 560.706, 2009 stats., for taxable years beginning after December 31, 2008, and before
4 January 1, 2016, a claimant may claim as a credit against the tax imposed under s.
5 71.23, up to the amount of the tax, the amount authorized for the claimant under s.
6 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

 ***NOTE: This is reconciled s. 71.28 (1dy) (b). This SECTION has been affected by
drafts with the following LRB numbers: -0997/P3 and -1215/P2.

7 ***-1215/P3.202***SECTION 2288. 71.28 (1dy) (c) 1. of the statutes is amended to
8 read:

9 71.28 (1dy) (c) 1. No credit may be allowed under this subsection unless the
10 claimant includes with the claimant's return a copy of the claimant's certification
11 under s. 235.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and
12 a copy of the claimant's notice of eligibility to receive tax benefits under s. 235.303
13 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

14 ***-1215/P3.203***SECTION 2289. 71.28 (1dy) (c) 2. of the statutes is amended to
15 read:

16 71.28 (1dy) (c) 2. Partnerships, limited liability companies, and tax-option
17 corporations may not claim the credit under this subsection, but the eligibility for,
18 and the amount of, the credit are based on their authorization to claim tax benefits
19 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership,
20 limited liability company, or tax-option corporation shall compute the amount of
21 credit that each of its partners, members, or shareholders may claim and shall
22 provide that information to each of them. Partners, members of limited liability

1 companies, and shareholders of tax-option corporations may claim the credit in
2 proportion to their ownership interests.

3 ***-1215/P3.204*SECTION 2290.** 71.28 (1dy) (d) 2. of the statutes is amended to
4 read:

5 71.28 (1dy) (d) 2. If a claimant's certification is revoked under s. 235.305 or s.
6 238.305, 2013 stats., or s. 560.705, 2009 stats., or if a claimant becomes ineligible for
7 tax benefits under s. 235.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the
8 claimant may not claim credits under this subsection for the taxable year that
9 includes the day on which the certification is revoked; the taxable year that includes
10 the day on which the claimant becomes ineligible for tax benefits; or succeeding
11 taxable years and the claimant may not carry over unused credits from previous
12 years to offset the tax imposed under s. 71.23 for the taxable year that includes the
13 day on which certification is revoked; the taxable year that includes the day on which
14 the claimant becomes ineligible for tax benefits; or succeeding taxable years.

15 ***-0997/P4.9*SECTION 2291.** 71.28 (1dy) (d) 4. of the statutes is created to read:

16 71.28 (1dy) (d) 4. Credits claimed under this subsection for taxable years
17 beginning after December 31, 2008, and before January 1, 2016, may be carried
18 forward for taxable years beginning after December 31, 2015.

19 ***-1215/P3.205*SECTION 2292.** 71.28 (3g) (a) (intro.) of the statutes is amended
20 to read:

21 71.28 (3g) (a) (intro.) Subject to the limitations under this subsection and ss.
22 73.03 (35m) and 235.23 and s. 238.23, 2013 stats., and s. 560.96, 2009 stats., a
23 business that is certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96
24 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.23 an

1 amount equal to the sum of the following, as established under s. 235.23 (3) (c) or s.
2 238.23 (3) (c), 2013 stats., or s. 560.96 (3) (c), 2009 stats.:

3 ***-1215/P3.206*SECTION 2293.** 71.28 (3g) (b) of the statutes is amended to read:

4 71.28 (3g) (b) The department of revenue shall notify the ~~department of~~
5 ~~commerce or the Wisconsin Economic Development Corporation~~ Forward Wisconsin
6 Development Authority of all claims under this subsection.

7 ***-1215/P3.207*SECTION 2294.** 71.28 (3g) (e) 2. of the statutes is amended to
8 read:

9 71.28 (3g) (e) 2. The investments that relate to the amount described under par.
10 (a) 2. for which a claimant makes a claim under this subsection must be retained for
11 use in the technology zone for the period during which the claimant's business is
12 certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.

13 ***-1215/P3.208*SECTION 2295.** 71.28 (3g) (f) 1. of the statutes is amended to
14 read:

15 71.28 (3g) (f) 1. A copy of the verification that the claimant's business is
16 certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.,
17 and that the business has entered into an agreement under s. 235.23 (3) (d) or s.
18 238.23 (3) (d), 2013 stats., or s. 560.96 (3) (d), 2009 stats.

19 ***-1215/P3.209*SECTION 2296.** 71.28 (3g) (f) 2. of the statutes is amended to
20 read:

21 71.28 (3g) (f) 2. A statement from the department of commerce or the Wisconsin
22 Economic Development Corporation or the Forward Wisconsin Development
23 Authority verifying the purchase price of the investment described under par. (a) 2.
24 and verifying that the investment fulfills the requirement under par. (e) 2.

1 ***-1215/P3.210***SECTION 2297. 71.28 (3q) (a) 1. of the statutes is amended to
2 read:

3 71.28 (3q) (a) 1. “Claimant” means a person certified to receive tax benefits
4 under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

5 ***-1215/P3.211***SECTION 2298. 71.28 (3q) (a) 2. of the statutes is amended to
6 read:

7 71.28 (3q) (a) 2. “Eligible employee” means, for taxable years beginning before
8 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who
9 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for
10 taxable years beginning after December 31, 2010, an eligible employee under s.
11 235.16 (1) (b) or s. 238.16 (1) (b), 2013 stats., who satisfies the wage requirements
12 under s. 235.16 (3) (a) or (b) or s. 238.16 (3) (a) or (b), 2013 stats.

13 ***-1215/P3.212***SECTION 2299. 71.28 (3q) (b) of the statutes is amended to read:

14 71.28 (3q) (b) *Filing claims.* Subject to the limitations provided in this
15 subsection and s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., for
16 taxable years beginning after December 31, 2009, and before January 1, 2016, a
17 claimant may claim as a credit against the taxes imposed under s. 71.23 any of the
18 following:

 ****NOTE: This is reconciled s. 71.28 (3q) (b) (intro.). This SECTION has been affected
by drafts with the following LRB numbers: -0997/P3 and -1215/P2.

19 1. The amount of wages that the claimant paid to an eligible employee in the
20 taxable year, not to exceed 10 percent of such wages, as determined under s. 235.16
21 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats.

22 2. The amount of the costs incurred by the claimant in the taxable year, as
23 determined under s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., to

SECTION 2299

1 undertake the training activities described under s. 235.16 (3) (c) or s. 238.16 (3) (c),
2 2013 stats., or s. 560.2055 (3) (c), 2009 stats.

3 ***-1215/P3.213*SECTION 2300.** 71.28 (3q) (c) 2. of the statutes is amended to
4 read:

5 71.28 (3q) (c) 2. No credit may be allowed under this subsection unless the
6 claimant includes with the claimant's return a copy of the claimant's certification for
7 tax benefits under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009
8 stats.

9 ***-1215/P3.214*SECTION 2301.** 71.28 (3q) (c) 3. of the statutes is amended to
10 read:

11 71.28 (3q) (c) 3. The maximum amount of credits that may be awarded under
12 this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January
13 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of
14 any credits reallocated under 235.15 (3) (d) or s. 238.15 (3) (d), 2013 stats., or s.
15 560.205 (3) (d), 2009 stats.

16 ***-0997/P4.10*SECTION 2302.** 71.28 (3q) (d) 3. of the statutes is created to read:

17 71.28 (3q) (d) 3. Credits claimed under this subsection for taxable years
18 beginning after December 31, 2008, and before January 1, 2016, may be carried
19 forward for taxable years beginning after December 31, 2015.

20 ***-1215/P3.215*SECTION 2303.** 71.28 (3w) (a) 2. of the statutes is amended to
21 read:

22 71.28 (3w) (a) 2. "Claimant" means a person who is certified to claim tax
23 benefits under s. 235.399 (5) or s. 238.399 (5), 2013 stats., or s. 560.799 (5), 2009
24 stats., and who files a claim under this subsection.

1 ***-1215/P3.216*SECTION 2304.** 71.28 (3w) (a) 3. of the statutes is amended to
2 read:

3 71.28 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined
4 in s. 235.399 (1) (am) or s. 238.399 (1) (am), 2013 stats., or s. 560.799 (1) (am), 2009
5 stats.

6 ***-1215/P3.217*SECTION 2305.** 71.28 (3w) (a) 4. of the statutes is amended to
7 read:

8 71.28 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 235.399
9 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

10 ***-1215/P3.218*SECTION 2306.** 71.28 (3w) (a) 5d. of the statutes is amended to
11 read:

12 71.28 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or
13 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
14 2009 stats.

15 ***-1215/P3.219*SECTION 2307.** 71.28 (3w) (a) 5e. of the statutes is amended to
16 read:

17 71.28 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or
18 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
19 2009 stats.

20 ***-1215/P3.220*SECTION 2308.** 71.28 (3w) (b) (intro.) of the statutes is
21 amended to read:

22 71.28 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations
23 provided in this subsection and s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
24 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23
25 an amount calculated as follows:

SECTION 2309

1 ***-1215/P3.221***SECTION 2309. 71.28 (3w) (b) 5. of the statutes is amended to
2 read:

3 71.28 (3w) (b) 5. Multiply the amount determined under subd. 4. by the
4 percentage determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009
5 stats., not to exceed 7 percent.

6 ***-1215/P3.222***SECTION 2310. 71.28 (3w) (bm) 1. of the statutes is amended
7 to read:

8 71.28 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and
9 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
10 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
11 against the tax imposed under s. 71.23 an amount equal to a percentage, as
12 determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not
13 to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade
14 or improve the job-related skills of any of the claimant's full-time employees, to train
15 any of the claimant's full-time employees on the use of job-related new technologies,
16 or to provide job-related training to any full-time employee whose employment with
17 the claimant represents the employee's first full-time job. This subdivision does not
18 apply to employees who do not work in an enterprise zone.

19 ***-1215/P3.223***SECTION 2311. 71.28 (3w) (bm) 2. of the statutes is amended
20 to read:

21 71.28 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
22 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
23 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
24 against the tax imposed under s. 71.23 an amount equal to the percentage, as
25 determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not

1 to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of
2 the claimant's full-time employees whose annual wages are greater than the amount
3 determined by multiplying 2,080 by 150 percent of the federal minimum wage in a
4 tier I county or municipality, not including the wages paid to the employees
5 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
6 municipality, not including the wages paid to the employees determined under par.
7 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
8 the total number of such employees is equal to or greater than the total number of
9 such employees in the base year. A claimant may claim a credit under this
10 subdivision for no more than 5 consecutive taxable years.

11 *~~1215/P3.224~~SECTION 2312. 71.28 (3w) (bm) 3. of the statutes is amended
12 to read:

13 71.28 (3w) (bm) 3. In addition to the credits under par. (b) and subs. 1., 2., and
14 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
15 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
16 December 31, 2008, a claimant may claim as a credit against the tax imposed under
17 s. 71.23 up to 10 percent of the claimant's significant capital expenditures, as
18 determined under s. 235.399 (5m) or s. 238.399 (5m), 2013 stats., or s. 560.799 (5m),
19 2009 stats.

20 *~~1215/P3.225~~SECTION 2313. 71.28 (3w) (bm) 4. of the statutes is amended
21 to read:

22 71.28 (3w) (bm) 4. In addition to the credits under par. (b) and subs. 1., 2., and
23 3., and subject to the limitations provided in this subsection and s. 235.399 or s.
24 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
25 December 31, 2009, a claimant may claim as a credit against the tax imposed under

SECTION 2313

1 s. 71.23, up to 1 percent of the amount that the claimant paid in the taxable year to
2 purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b),
3 (c), or (d), or services from Wisconsin vendors, as determined under s. 235.399 (5) (e)
4 or s. 238.399 (5) (e), 2013 stats., or s. 560.799 (5) (e), 2009 stats., except that the
5 claimant may not claim the credit under this subdivision and subd. 3. for the same
6 expenditures.

7 ***-1215/P3.226*SECTION 2314.** 71.28 (3w) (c) 3. of the statutes is amended to
8 read:

9 71.28 (3w) (c) 3. No credit may be allowed under this subsection unless the
10 claimant includes with the claimant's return a copy of the claimant's certification for
11 tax benefits under s. 235.399 (5) or (5m) or s. 238.399 (5) or (5m), 2013 stats., or s.
12 560.799 (5) or (5m), 2009 stats.

13 ***-1215/P3.227*SECTION 2315.** 71.28 (3w) (d) of the statutes is amended to
14 read:

15 71.28 (3w) (d) *Administration.* Subsection (4) (g) and (h), as it applies to the
16 credit under sub. (4), applies to the credit under this subsection. Claimants shall
17 include with their returns a copy of their certification for tax benefits, and a copy of
18 the verification of their expenses, from the department of commerce or the Wisconsin
19 Economic Development Corporation or the Forward Wisconsin Development
20 Authority.

21 ***-0997/P4.11*SECTION 2316.** 71.28 (3y) of the statutes is created to read:

22 71.28 (3y) BUSINESS DEVELOPMENT CREDIT. (a) *Definitions.* In this subsection:

- 23 1. "Claimant" means a person certified to receive tax benefits under s. 235.308.
24 2. "Eligible position" has the meaning given in s. 235.308 (1) (a).

1 (b) *Filing claims.* Subject to the limitations provided in this subsection and s.
2 235.308, for taxable years beginning after December 31, 2015, a claimant may claim
3 as a credit against the tax imposed under ss. 71.02 and 71.08 all of the following:

4 1. The amount of wages that the claimant paid to an employee in an eligible
5 position in the taxable year, not to exceed 10 percent of such wages, as determined
6 by the Forward Wisconsin Development Authority under s. 235.308.

7 2. The amount of wages that the claimant paid to an employee in an eligible
8 position in the taxable year, not to exceed 5 percent of such wages, if the employee
9 is employed in an eligible position at the claimant's business in an economically
10 distressed area, as determined by the Forward Wisconsin Development Authority.

11 3. The amount of training costs that the claimant incurred under s. 235.308 (4)
12 (a) 3., not to exceed 50 percent of such costs, as determined by the Forward Wisconsin
13 Development Authority.

14 4. The amount of the personal property investment, not to exceed 3 percent of
15 such investment, and the amount of the real property investment, not to exceed 5
16 percent of such investment, in a capital investment project that satisfies s. 235.308
17 (4) (a) 4., as determined by the Forward Wisconsin Development Authority.

18 (c) *Limitations.* 1. Partnerships, limited liability companies, and tax-option
19 corporations may not claim the credit under this subsection, but the eligibility for,
20 and the amount of, the credit are based on their payment of amounts under par. (b).
21 A partnership, limited liability company, or tax-option corporation shall compute
22 the amount of credit that each of its partners, members, or shareholders may claim
23 and shall provide that information to each of them. Partners, members of limited
24 liability companies, and shareholders of tax-option corporations may claim the
25 credit in proportion to their ownership interests.

1 2. No credit may be allowed under this subsection unless the claimant includes
2 with the claimant's return a copy of the claimant's certification for tax benefits under
3 s. 235.308.

4 (d) *Administration.* 1. Subsection (4) (e), (g), and (h), as it applies to the credit
5 under sub. (4), applies to the credit under this subsection.

6 2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise
7 due under s. 71.23, the amount of the claim not used to offset the tax due shall be
8 certified by the department of revenue to the department of administration for
9 payment by check, share draft, or other draft drawn from the appropriation account
10 under s. 20.835 (2) (bg).

11 *~~1018/P2.43~~*SECTION 2317. 71.28 (4) (ad) 1. of the statutes is amended to
12 read:

13 71.28 (4) (ad) 1. Except as provided in subs. 2. and 3., any corporation may
14 credit against taxes otherwise due under this chapter an amount equal to 5 percent
15 of the amount obtained by subtracting from the corporation's qualified research
16 expenses, as defined in section 41 of the Internal Revenue Code, except that
17 "qualified research expenses" includes only expenses incurred by the claimant,
18 incurred for research conducted in this state for the taxable year, except that a
19 taxpayer may elect the alternative computation under section 41 (c) (4) of the
20 Internal Revenue Code and that election applies until the department permits its
21 revocation, except as provided in par. (af), and except that "qualified research
22 expenses" does not include compensation used in computing the credit under ~~subs.~~
23 ~~(1dj) and sub. (1dx)~~, the corporation's base amount, as defined in section 41 (c) of the
24 Internal Revenue Code, except that gross receipts used in calculating the base
25 amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9)

1 (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk). Section 41 (h) of the
2 Internal Revenue Code does not apply to the credit under this paragraph.

3 ***-1018/P2.44***SECTION 2318. 71.28 (4) (ad) 2. of the statutes is amended to
4 read:

5 71.28 (4) (ad) 2. For taxable years beginning after June 30, 2007, any
6 corporation may credit against taxes otherwise due under this chapter an amount
7 equal to 10 percent of the amount obtained by subtracting from the corporation's
8 qualified research expenses, as defined in section 41 of the Internal Revenue Code,
9 except that "qualified research expenses" includes only expenses incurred by the
10 claimant for research related to designing internal combustion engines for vehicles,
11 including expenses related to designing vehicles that are powered by such engines
12 and improving production processes for such engines and vehicles, incurred for
13 research conducted in this state for the taxable year, except that a taxpayer may elect
14 the alternative computation under section 41 (c) (4) of the Internal Revenue Code
15 and that election applies until the department permits its revocation, except as
16 provided in par. (af), and except that "qualified research expenses" does not include
17 compensation used in computing the credit under ~~subs. (1dj) and sub. (1dx)~~, the
18 corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code,
19 except that gross receipts used in calculating the base amount means gross receipts
20 from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh)
21 1., 2., and 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply
22 to the credit under this paragraph.

23 ***-1018/P2.45***SECTION 2319. 71.28 (4) (ad) 3. of the statutes is amended to
24 read:

SECTION 2319

1 71.28 (4) (ad) 3. For taxable years beginning after June 30, 2007, any
2 corporation may credit against taxes otherwise due under this chapter an amount
3 equal to 10 percent of the amount obtained by subtracting from the corporation's
4 qualified research expenses, as defined in section 41 of the Internal Revenue Code,
5 except that "qualified research expenses" includes only expenses incurred by the
6 claimant for research related to the design and manufacturing of energy efficient
7 lighting systems, building automation and control systems, or automotive batteries
8 for use in hybrid-electric vehicles, that reduce the demand for natural gas or
9 electricity or improve the efficiency of its use, incurred for research conducted in this
10 state for the taxable year, except that a taxpayer may elect the alternative
11 computation under section 41 (c) (4) of the Internal Revenue Code and that election
12 applies until the department permits its revocation, except as provided in par. (af),
13 and except that "qualified research expenses" does not include compensation used
14 in computing the credit under ~~subs. (1dj) and sub. (1dx)~~, the corporation's base
15 amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross
16 receipts used in calculating the base amount means gross receipts from sales
17 attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df), 1. and 2., (dh) 1., 2., and
18 3., (dj), and (dk). Section 41 (h) of the Internal Revenue Code does not apply to the
19 credit under this paragraph.

20 *~~1215/P3.228~~*SECTION 2320. 71.28 (4) (am) 1. of the statutes is amended to
21 read:

22 71.28 (4) (am) 1. In addition to the credit under par. (ad), any corporation may
23 credit against taxes otherwise due under this chapter an amount equal to 5 percent
24 of the amount obtained by subtracting from the corporation's qualified research
25 expenses, as defined in section 41 of the Internal Revenue Code, except that

1 “qualified research expenses” include only expenses incurred by the claimant in a
2 development zone under subch. III of ch. 235 or subch. II of ch. 238, 2013 stats., or
3 subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative
4 computation under section 41 (c) (4) of the Internal Revenue Code and that election
5 applies until the department permits its revocation and except that “qualified
6 research expenses” ~~do~~ does not include ~~compensation used in computing the credit~~
7 ~~under sub. (1dj) nor~~ research expenses incurred before the claimant is certified for
8 tax benefits under s. 235.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009
9 stats., or the corporation’s base amount, as defined in section 41 (c) of the Internal
10 Revenue Code, in a development zone, except that gross receipts used in calculating
11 the base amount means gross receipts from sales attributable to Wisconsin under s.
12 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research
13 expenses used in calculating the base amount include research expenses incurred
14 before the claimant is certified for tax benefits under s. 235.365 (3) or s. 238.365 (3),
15 2013 stats., or s. 560.765 (3), 2009 stats., in a development zone, if the claimant
16 submits with the claimant’s return a copy of the claimant’s certification for tax
17 benefits under s. 235.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009
18 stats., and a statement from the department of commerce or the Wisconsin Economic
19 Development Corporation or Forward Wisconsin Development Authority verifying
20 the claimant’s qualified research expenses for research conducted exclusively in a
21 development zone. The rules under s. 73.03 (35) apply to the credit under this
22 subdivision. ~~The rules under sub. (1di) (f) and (g) as they apply to the credit under~~
23 ~~that subsection apply to claims under this subdivision.~~ Section 41 (h) of the Internal
24 Revenue Code does not apply to the credit under this subdivision.

SECTION 2320

****NOTE: This is reconciled s. 71.28 (4) (am) 1. This SECTION has been affected by drafts with the following LRB numbers: -1018/P1 and -1215/P2.

1 ***-1215/P3.229***SECTION 2321. 71.28 (4) (am) 2. of the statutes is amended to
2 read:

3 71.28 (4) (am) 2. The development zones credit under subd. 1., as it applies to
4 a person certified under s. 235.365 or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009
5 stats., applies to a corporation that conducts economic activity in a development
6 opportunity zone under s. 235.395 (1) or s. 238.395 (1), 2013 stats., or s. 560.795 (1),
7 2009 stats., and that is entitled to tax benefits under s. 235.395 (3) or s. 238.395 (3),
8 2013 stats., or s. 560.795 (3), 2009 stats., subject to the limits under s. 235.395 (2) or
9 s. 238.395 (2), 2013 stats., or s. 560.795 (2), 2009 stats. A development opportunity
10 zone credit under this subdivision may be calculated using expenses incurred by a
11 claimant beginning on the effective date under s. 235.395 (2) (a) or s. 238.395 (2) (a),
12 2013 stats., or s. 560.795 (2) (a), 2009 stats., of the development opportunity zone
13 designation of the area in which the claimant conducts economic activity.

14 ***-1018/P2.46***SECTION 2322. 71.28 (4m) (a) of the statutes is amended to read:

15 71.28 (4m) (a) *Definition.* In this subsection, “qualified research expenses”
16 means qualified research expenses as defined in section 41 of the Internal Revenue
17 Code, except that “qualified research expenses” includes only expenses incurred by
18 the claimant for research conducted in this state for the taxable year and except that
19 “qualified research expenses” ~~do~~ does not include compensation used in computing
20 the ~~credits~~ credit under ~~subs. (1dj) and sub. (1dx).~~

21 ***-1215/P3.230***SECTION 2323. 71.28 (5b) (a) 2. of the statutes is amended to
22 read:

1 71.28 (5b) (a) 2. “Fund manager” means an investment fund manager certified
2 under s. 235.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

3 *~~1215/P3.231~~*SECTION 2324. 71.28 (5b) (b) 1. of the statutes is amended to
4 read:

5 71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
6 to the limitations provided under this subsection and s. 235.15 or s. 238.15, 2013
7 stats., or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may
8 claim as a credit against the tax imposed under s. 71.23, up to the amount of those
9 taxes, 25 percent of the claimant’s investment paid to a fund manager that the fund
10 manager invests in a business certified under s. 235.15 (1) or s. 238.15 (1), 2013
11 stats., or s. 560.205 (1), 2009 stats.

12 *~~1215/P3.232~~*SECTION 2325. 71.28 (5b) (b) 2. of the statutes is amended to
13 read:

14 71.28 (5b) (b) 2. In the case of a partnership, limited liability company, or
15 tax-option corporation, the computation of the 25 percent limitation under subd. 1.
16 shall be determined at the entity level rather than the claimant level and may be
17 allocated among the claimants who make investments in the manner set forth in the
18 entity’s organizational documents. The entity shall provide to the department of
19 revenue and to the ~~department of commerce or the Wisconsin Economic~~
20 ~~Development Corporation~~ Forward Wisconsin Development Authority the names
21 and tax identification numbers of the claimants, the amounts of the credits allocated
22 to the claimants, and the computation of the allocations.

23 *~~1215/P3.233~~*SECTION 2326. 71.28 (5b) (d) 3. of the statutes is amended to
24 read:

SECTION 2326

1 71.28 (5b) (d) 3. Except as provided under s. ~~238.15~~ 235.15 (3) (d) (intro.), for
2 investments made after December 31, 2007, if an investment for which a claimant
3 claims a credit under par. (b) is held by the claimant for less than 3 years, the
4 claimant shall pay to the department, in the manner prescribed by the department,
5 the amount of the credit that the claimant received related to the investment.

6 *~~0807/P6.220~~*SECTION 2327. 71.28 (5j) (a) 2d. of the statutes is amended to
7 read:

8 71.28 (5j) (a) 2d. “Diesel replacement renewable fuel” includes biodiesel and
9 any other fuel derived from a renewable resource that meets all of the applicable
10 requirements of the American Society for Testing and Materials for that fuel and that
11 the department of ~~commerce or the department of safety and professional services~~
12 financial institutions and professional standards designates by rule as a diesel
13 replacement renewable fuel.

14 *~~0807/P6.221~~*SECTION 2328. 71.28 (5j) (a) 2m. of the statutes is amended to
15 read:

16 71.28 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and
17 any other fuel derived from a renewable resource that meets all of the applicable
18 requirements of the American Society for Testing and Materials for that fuel and that
19 the department of ~~commerce or the department of safety and professional services~~
20 financial institutions and professional standards designates by rule as a gasoline
21 replacement renewable fuel.

22 *~~0807/P6.222~~*SECTION 2329. 71.28 (5j) (c) 3. of the statutes is amended to
23 read:

24 71.28 (5j) (c) 3. The department of ~~commerce or the department of safety and~~
25 professional services financial institutions and professional standards shall

1 establish standards to adequately prevent, in the distribution of conventional fuel
2 to an end user, the inadvertent distribution of fuel containing a higher percentage
3 of renewable fuel than the maximum percentage established by the federal
4 environmental protection agency for use in conventionally-fueled engines.

5 *~~0281/P1.5~~SECTION 2330. 71.28 (5n) (a) 1. a. of the statutes is amended to
6 read:

7 71.28 (5n) (a) 1. a. “Agriculture property factor” means a fraction, the
8 numerator of which is the average value of the claimant’s real property and
9 improvements assessed under s. 70.32 (2) (a) 4. to 7., owned or rented and used in
10 this state by the claimant during the taxable year to produce, grow, or extract
11 qualified production property, and the denominator of which is the average value of
12 all of the claimant’s real property and improvements owned or rented during the
13 taxable year and used by the claimant to produce, grow, or extract qualified
14 production property.

15 *~~0281/P1.6~~SECTION 2331. 71.28 (5n) (a) 3. of the statutes is amended to read:

16 71.28 (5n) (a) 3. “Direct costs” includes all of the claimant’s ordinary and
17 necessary expenses paid or incurred during the taxable year in carrying on the trade
18 or business that are deductible as business expenses under ~~section 162~~ of the
19 Internal Revenue Code and identified as direct costs in the claimant’s managerial or
20 cost accounting records.

21 *~~0281/P1.7~~SECTION 2332. 71.28 (5n) (a) 4. of the statutes is amended to read:

22 71.28 (5n) (a) 4. “Indirect costs” includes all of the claimant’s ordinary and
23 necessary expenses paid or incurred during the taxable year in carrying on the trade
24 or business that are deductible as business expenses under ~~section 162~~ of the

SECTION 2332

1 Internal Revenue Code, other than cost of goods sold and direct costs, and identified
2 as indirect costs in the claimant's managerial or cost accounting records.

3 ***-0281/P1.8*SECTION 2333.** 71.28 (5n) (a) 5. d. of the statutes is created to
4 read:

5 71.28 (5n) (a) 5. d. For purposes of subd. 5. a., a claimant who the department
6 approves to be classified as a manufacturer for purposes of s. 70.995, but who is not
7 eligible to be listed on the department's manufacturing roll until January 1 of the
8 following year, may claim the credit in the year in which the manufacturing
9 classification is approved.

10 ***-0807/P6.223*SECTION 2334.** 71.28 (5r) (a) 2. of the statutes is amended to
11 read:

12 71.28 (5r) (a) 2. "Course of instruction" has the meaning given in s. ~~38.50~~ 440.52
13 (1) (c).

14 ***-0807/P6.224*SECTION 2335.** 71.28 (5r) (a) 6. b. of the statutes is amended
15 to read:

16 71.28 (5r) (a) 6. b. A school ~~approved~~ authorized under s. ~~38.50~~ 440.52, if the
17 delivery of education occurs in this state.

18 ***-0924/P3.3*SECTION 2336.** 71.28 (6) (a) 3. of the statutes is amended to read:

19 71.28 (6) (a) 3. ~~For~~ Except as provided in par. (k), for taxable years beginning
20 after December 31, 2013, and before January 1, 2015, any person may claim as a
21 credit against taxes otherwise due under s. 71.23, up to the amount of those taxes,
22 an amount equal to 20 percent of the costs of qualified rehabilitation expenditures,
23 as defined in section 47 (c) (2) of the Internal Revenue Code, for qualified
24 rehabilitated buildings, as defined in section 47 (c) (1) of the Internal Revenue Code,
25 on property located in this state, if the cost of the person's qualified rehabilitation

1 expenditures is at least \$50,000 and the rehabilitated property is placed in service
2 after December 31, 2013, and before January 1, 2015, and regardless of whether the
3 rehabilitated property is used for multiple or revenue-producing purposes. No
4 credit may be claimed under this subdivision for property listed as a contributing
5 building in the state register of historic places or in the national register of historic
6 places and no credit may be claimed under this subdivision for nonhistoric,
7 nonresidential property converted into housing if the property has been previously
8 used for housing.

9 *~~1215/P3.234~~***SECTION 2337.** 71.28 (6) (c) (intro.) of the statutes is amended
10 to read:

11 71.28 (6) (c) (intro.) No person may claim the credit under par. (a) 2m. unless
12 the claimant includes with the claimant's return a copy of the claimant's certification
13 under s. ~~238.17~~ 235.17. For certification purposes under s. ~~238.17~~ 235.17, the
14 claimant shall provide to the ~~Wisconsin Economic Development Corporation~~
15 Forward Wisconsin Development Authority all of the following:

16 *~~0935/P5.2~~***SECTION 2338.** 71.28 (6) (i) of the statutes is created to read:

17 71.28 (6) (i) 1. a. Except as provided in subd. 1. b., if the activity for which a
18 person claims a credit under this subsection creates fewer full-time jobs than
19 projected under s. 235.17 (3) (a), as reported to the department under s. 235.17 (4),
20 the person who claimed the credit shall repay to the department any amount of the
21 credit claimed, as determined by the department, in proportion to the number of
22 full-time jobs created compared to the number of full-time jobs projected.

23 b. For purposes of subd. 1. a., the person who initially sells or transfers a credit
24 under par. (h) is responsible for repaying the credit.

1 2. If a person who claims a credit under this subsection and a credit under
2 section 47 of the Internal Revenue Code for the same qualified rehabilitation
3 expenditures is required to repay the full amount of the credit claimed under section
4 47 of the Internal Revenue Code, the person shall repay to the department the
5 amount of the credit claimed under this subsection.

6 ***-0924/P3.4***SECTION 2339. 71.28 (6) (k) of the statutes is created to read:

7 71.28 (6) (k) A person who has incurred qualified rehabilitation expenditures
8 under par. (a) 3. before January 1, 2015, may claim the credit under par. (a) 3. for
9 taxable years beginning after December 31, 2014, even if the property is not placed
10 in service until after December 31, 2014.

 ****NOTE: This is reconciled s. 71.28 (6) (k). This SECTION has been affected by
drafts with the following LRB numbers:–0924/P2 and –0935/P4.

11 ***-1018/P2.47***SECTION 2340. 71.30 (3) (eb) of the statutes is repealed.

12 ***-1018/P2.48***SECTION 2341. 71.30 (3) (ec) of the statutes is repealed.

13 ***-1018/P2.49***SECTION 2342. 71.30 (3) (eg) of the statutes is repealed.

14 ***-1018/P2.50***SECTION 2343. 71.30 (3) (eh) of the statutes is repealed.

15 ***-1018/P2.51***SECTION 2344. 71.30 (3) (ej) of the statutes is repealed.

16 ***-1018/P2.52***SECTION 2345. 71.30 (3) (ek) of the statutes is repealed.

17 ***-0997/P4.12***SECTION 2346. 71.30 (3) (f) of the statutes is amended to read:

18 71.30 (3) (f) The total of farmland preservation credit under subch. IX,
19 farmland tax relief credit under s. 71.28 (2m), dairy manufacturing facility
20 investment credit under s. 71.28 (3p), jobs credit under s. 71.28 (3q), meat processing
21 facility investment credit under s. 71.28 (3r), woody biomass harvesting and
22 processing credit under s. 71.28 (3rm), food processing plant and food warehouse
23 investment credit under s. 71.28 (3rn), enterprise zone jobs credit under s. 71.28

1 (3w), business development credit under s. 71.28 (3y), film production services credit
2 under s. 71.28 (5f), film production company investment credit under s. 71.28 (5h),
3 beginning farmer and farm asset owner tax credit under s. 71.28 (8r), and estimated
4 tax payments under s. 71.29.

5 *–0275/P3.21*SECTION 2347. 71.34 (1g) (a) of the statutes is repealed.

6 *–0275/P3.22*SECTION 2348. 71.34 (1g) (g) of the statutes is amended to read:

7 71.34 (1g) (g) “Internal Revenue Code” for tax-option corporations, for taxable
8 years that begin after December 31, 2008, and before January 1, 2011, means the
9 federal Internal Revenue Code as amended to December 31, 2008, excluding sections
10 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
11 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
12 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,
13 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,
14 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,
15 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,
16 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,
17 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section
18 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates
19 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,
20 207, 209, 503, and 513 of P.L. 109–222, P.L. 109–432, P.L. 110–28, P.L. 110–140, P.L.
21 110–141, P.L. 110–142, P.L. 110–166, P.L. 110–172, P.L. 110–185, P.L. 110–234,
22 sections 110, 113, and 301 of P.L. 110–245, P.L. 110–246, except section 15316 of P.L.
23 110–246, P.L. 110–289, except section 3093 of P.L. 110–289, P.L. 110–317, and P.L.
24 110–343, except section 301 of division B and section 313 of division C of P.L. 110–343,
25 and as amended by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of

SECTION 2348

1 division B of P.L. 111–5, section 301 of P.L. 111–147, P.L. 111–192, section 1601 of P.L.
2 111–203, section 215 of P.L. 111–226, section 2112 of P.L. 111–240, and P.L. 111–325,
3 and P.L. 113–168, and as indirectly affected in the provisions applicable to this
4 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2)
5 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
6 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
7 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
8 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
9 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
10 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
11 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
12 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.
13 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,
14 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.
15 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L.
16 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and
17 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.
18 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316,
19 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211,
20 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476,
21 P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,
22 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146
23 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135,
24 excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),
25 (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections

1 101, 207, 209, 503, and 513 of P.L. 109-222, P.L. 109-227, P.L. 109-280, P.L. 110-245,
2 excluding sections 110, 113, and 301 of P.L. 110-245, section 15316 of P.L. 110-246,
3 section 3093 of P.L. 110-289, section 301 of division B and section 313 of division C
4 of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521,
5 1522, 1531, and 1541 of division B of P.L. 111-5, section 301 of P.L. 111-147, P.L.
6 111-192, section 1601 of P.L. 111-203, section 215 of P.L. 111-226, section 2112 of P.L.
7 111-240, and P.L. 111-325, and P.L. 113-168, except that section 1366 (f) (relating
8 to pass-through of items to shareholders) is modified by substituting the tax under
9 s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code
10 applies for Wisconsin purposes at the same time as for federal purposes.
11 Amendments to the federal Internal Revenue Code enacted after December 31, 2008,
12 do not apply to this paragraph with respect to taxable years beginning after
13 December 31, 2008, and before January 1, 2011, except that changes to the Internal
14 Revenue Code made by sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541
15 of division B of P.L. 111-5, section 301 of P.L. 111-147, P.L. 111-192, section 1601 of
16 P.L. 111-203, section 215 of P.L. 111-226, section 2112 of P.L. 111-240, and P.L.
17 111-325, and P.L. 113-168, and changes that indirectly affect the provisions
18 applicable to this subchapter made by sections 1261, 1262, 1401, 1402, 1521, 1522,
19 1531, and 1541 of division B of P.L. 111-5, section 301 of P.L. 111-147, P.L. 111-192,
20 section 1601 of P.L. 111-203, section 215 of P.L. 111-226, section 2112 of P.L. 111-240,
21 and P.L. 111-325, and P.L. 113-168, apply for Wisconsin purposes at the same time
22 as for federal purposes.

23 *~~0275/P3.23~~**SECTION 2349.** 71.34 (1g) (h) of the statutes is amended to read:

24 71.34 (1g) (h) “Internal Revenue Code” for tax-option corporations, for taxable
25 years that begin after December 31, 2010, and before January 1, 2013, means the

SECTION 2349

1 federal Internal Revenue Code as amended to December 31, 2010, excluding sections
2 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
3 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
4 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,
5 P.L. 106–573, 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, 9021, 9022, 10108, 10908,
23 and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L.
24 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and
25 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113

1 of P.L. 111–240, and P.L. 111–312, and as amended by section 902 of P.L. 112–240 and
2 by P.L. 113–168, and as indirectly affected in the provisions applicable to this
3 subchapter by P.L. 99–514, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
4 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding
5 section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
6 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
7 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
8 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
9 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
10 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
11 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
12 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,
13 P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.
14 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L.
15 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections
16 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201
17 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,
18 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102,
19 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,
20 P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310,
21 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59,
22 excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L.
23 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section
24 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L.
25 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227,

SECTION 2349

1 P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A
2 and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and
3 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.
4 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,
5 P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314,
6 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and
7 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections
8 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.
9 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522,
10 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding
11 section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and
12 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L.
13 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and
14 2113 of P.L. 111–240, P.L. 111–325, and section 902 of P.L. 112–240, and P.L. 113–168,
15 except that section 1366 (f) (relating to pass-through of items to shareholders) is
16 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
17 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
18 as for federal purposes, except that changes made by section 209 of P.L. 109–222,
19 sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403
20 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L.
21 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142,
22 P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections
23 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246,
24 sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L.
25 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division

1 B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531,
2 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section
3 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011.
4 Amendments to the federal Internal Revenue Code enacted after December 31, 2010,
5 do not apply to this paragraph with respect to taxable years beginning after
6 December 31, 2010, and before January 1, 2013, except that changes to the Internal
7 Revenue Code made by section 902 of P.L. 112–240 and by P.L. 113–168, and changes
8 that indirectly affect the provisions applicable to this subchapter made by section
9 902 of P.L. 112–240 and by P.L. 113–168, apply for Wisconsin purposes at the same
10 time as for federal purposes.

11 *~~0275/P3.24~~SECTION 2350. 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,

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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 P.L.
17 113-168, and as indirectly affected in the provisions applicable to this subchapter by
18 P.L. 99-514, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and
19 823 (c) (2) of P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding section 1008 (g) (5)
20 of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
21 P.L. 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.