2015 SENATE BILL 468

December 18, 2015 – Introduced by Senators LASSA, CARPENTER, C. LARSON, VINEHOUT, L. TAYLOR and SHILLING, cosponsored by Representatives BARCA, SHANKLAND, MILROY, SARGENT, GOYKE, SREITZER, BERCEAU, BROSTOFF, C. TAYLOR, OHNSTAD, JORGENSEN, CONSIDINE, SUBECK, WACHS, KOLSTE, HEBL, ZAMARRIPA, POPE, SINICKI and JOHNSON. Referred to Committee on Economic Development and Commerce.

AN ACT to repeal 13.48 (10) (b) 6., 13.48 (12) (b) 5., 15.107 (20), 16.35, 19.42 (10) (sm), 19.42 (13) (om), 20.192 (intro.), 20.192 (1) (k), 40.02 (54) (m), 70.11 (38r), chapter 238 (title), 238.01 (1), 238.01 (2), 238.02, 238.03 (4), 238.04, 238.045, 238.046, 238.05, 238.06, 238.07 (4), 238.08, 238.09 and 238.123; to renumber 16.295, 16.309, 20.192 (1) (title), subchapter I (title) of chapter 238 [precedes 238.01], 238.01 (intro.), 238.01 (3) and subchapter II (title) of chapter 238 [precedes 238.30]; to renumber and amend 20.192 (1) (a), 20.192 (1) (m), 20.192 (1) (r), 20.192 (1) (s), 20.505 (1) (fm), 238.03 (title) and (1) to (3), 238.07 (1), 238.07 (2), 238.07 (3), 238.10, 238.11, 238.115, 238.12, 238.125, 238.127, 238.13, 238.133, 238.135, 238.14, 238.145, 238.15, 238.16, 238.17, 238.23, 238.25, 238.26, 238.30, 238.301, 238.302, 238.303, 238.304, 238.3045, 238.305, 238.306, 238.308, 238.31, 238.315, 238.32, 238.325, 238.335, 238.34, 238.345, 238.35, 238.363, 238.365, 238.368, 238.37, 238.38, 238.385, 238.395, 238.397, 238.398, 238.399 and 238.3995; to amend 1.12 (1) (b), 13.172 (1), 13.48 (13) (a),
SENATE BILL 468

13.62 (2), 13.625 (9), 13.94 (1) (dr), 13.94 (1) (ms), 13.94 (1s) (c) 5., 13.94 (4) (a)
(8), 19.56 (2) (b) 6., 19.56 (3) (e) (intro.), 19.56 (3) (e) 1., 19.56 (3) (f), 19.57, 20.370
(2) (mr), 23.167 (2) (intro.), 23.169 (1), 23.169 (2), 25.17 (70) (d), 25.17 (72), 26.37
(1) (b), 26.37 (2), 30.121 (3w) (b), 36.09 (1) (am) (intro.), 36.11 (29r) (b) 1., 36.11
(29r) (b) 2., 36.25 (24), 38.04 (1m) (b) (intro.), 38.04 (10m) (a), 38.04 (10m) (b),
40.05 (4) (b), 40.05 (4) (bm), 40.05 (5) (b) 4., 40.62 (2), 40.95 (1) (a) 1., 41.11 (1g)
(b) (intro.), 41.11 (1r) (a), 41.11 (1r) (b), 59.57 (1) (a), 60.23 (4) (c), 66.1103 (4m)
(a) 1., 66.1103 (4m) (a) 2., 66.1103 (4m) (b), 66.1103 (4s) (a) 1., 66.1103 (4s) (b)
3., 66.1103 (4s) (b) 4., 66.1103 (4s) (d), 66.1103 (10) (c), 66.1103 (10) (g), 71.07
(2dm) (a) 1., 71.07 (2dm) (a) 3., 71.07 (2dm) (a) 4., 71.07 (2dm) (f) 1., 71.07 (2dm)
(f) 2., 71.07 (2dm) (i), 71.07 (2dm) (j), 71.07 (2dm) (k), 71.07 (2dx) (a) 2., 71.07
(2dx) (a) 4., 71.07 (2dx) (b) (intro.), 2. and 3., 71.07 (2dx) (b) 4. and 5., 71.07 (2dx)
(be), 71.07 (2dx) (bg), 71.07 (2dx) (c), 71.07 (2dx) (d), 71.07 (2dy) (a), 71.07 (2dy)
(b), 71.07 (2dy) (c) 1., 71.07 (2dy) (c) 2., 71.07 (2dy) (d) 2., 71.07 (3g) (a) (intro.),
71.07 (3g) (b), 71.07 (3g) (e) 2., 71.07 (3g) (f) 1., 71.07 (3g) (f) 2., 71.07 (3q) (a) 1.,
71.07 (3q) (a) 2., 71.07 (3q) (b) (intro.), 71.07 (3q) (b) 1., 71.07 (3q) (b) 2., 71.07
(3q) (c) 2., 71.07 (3q) (c) 3., 71.07 (3w) (a) 2., 71.07 (3w) (a) 3., 71.07 (3w) (a) 4.,
71.07 (3w) (a) 5d., 71.07 (3w) (a) 5e., 71.07 (3w) (b) (intro.), 71.07 (3w) (b) 5.,
71.07 (3w) (bm) 1., 71.07 (3w) (bm) 2., 71.07 (3w) (bm) 3., 71.07 (3w) (bm) 4.,
71.07 (3w) (c) 3., 71.07 (3w) (d), 71.07 (3y) (a) 1., 71.07 (3y) (a) 2., 71.07 (3y) (b)
(intro.), 71.07 (3y) (b) 1., 71.07 (3y) (b) 2., 71.07 (3y) (b) 3., 71.07 (3y) (b) 4., 71.07
(3y) (b) 5., 71.07 (3y) (c) 2., 71.07 (5b) (a) 2., 71.07 (5b) (b) 1., 71.07 (5b) (b) 2.,
71.07 (5b) (d) 3., 71.07 (5d) (a) 1. (intro.), 71.07 (5d) (a) 2m., 71.07 (5d) (a) 3.,
SENATE BILL 468

71.07 (5d) (b) (intro.), 71.07 (5d) (b) 1., 71.07 (5d) (b) 2., 71.07 (5d) (c) 2., 71.07
(5d) (d) 1., 71.07 (9m) (c) (intro.), 71.26 (1) (be), 71.28 (1dm) (a) 1., 71.28 (1dm)
(a) 3., 71.28 (1dm) (a) 4., 71.28 (1dm) (f) 1., 71.28 (1dm) (f) 2., 71.28 (1dm) (i),
71.28 (1dm) (j), 71.28 (1dm) (k), 71.28 (1dx) (a) 2., 71.28 (1dx) (a) 4., 71.28 (1dx)
(b) (intro.), 71.28 (1dx) (b) 2., 71.28 (1dx) (b) 3., 71.28 (1dx) (b) 4., 71.28 (1dx) (b)
5., 71.28 (1dx) (be), 71.28 (1dx) (bg), 71.28 (1dx) (c), 71.28 (1dx) (d), 71.28 (1dy)
(a), 71.28 (1dy) (b), 71.28 (1dy) (c) 1., 71.28 (1dy) (c) 2., 71.28 (1dy) (d) 2., 71.28
(3g) (a) (intro.), 71.28 (3g) (b), 71.28 (3g) (e) 2., 71.28 (3g) (f) 1., 71.28 (3g) (f) 2.,
71.28 (3q) (a) 1., 71.28 (3q) (a) 2., 71.28 (3q) (b), 71.28 (3q) (c) 2., 71.28 (3q) (c)
3., 71.28 (3w) (a) 2., 71.28 (3w) (a) 3., 71.28 (3w) (a) 4., 71.28 (3w) (a) 5d., 71.28
(3w) (a) 5e., 71.28 (3w) (b) (intro.), 71.28 (3w) (b) 5., 71.28 (3w) (bm) 1., 71.28
(3w) (bm) 2., 71.28 (3w) (bm) 3., 71.28 (3w) (bm) 4., 71.28 (3w) (c) 3., 71.28 (3w)
(d), 71.28 (3y) (a) 1., 71.28 (3y) (a) 2., 71.28 (3y) (b) (intro.), 71.28 (3y) (b) 1., 71.28
(3y) (b) 2., 71.28 (3y) (b) 3., 71.28 (3y) (b) 4., 71.28 (3y) (b) 5., 71.28 (3y) (c) 2.,
71.28 (4) (am) 1., 71.28 (4) (am) 2., 71.28 (5b) (a) 2., 71.28 (5b) (b) 1., 71.28 (5b)
(b) 2., 71.28 (5b) (d) 3., 71.28 (6) (c) (intro.), 71.47 (1dm) (a) 1., 71.47 (1dm) (a)
3., 71.47 (1dm) (a) 4., 71.47 (1dm) (f) 1., 71.47 (1dm) (f) 2., 71.47 (1dm) (i), 71.47
(1dm) (j), 71.47 (1dm) (k), 71.47 (1dx) (a) 2., 71.47 (1dx) (a) 4., 71.47 (1dx) (b)
(intro.), 71.47 (1dx) (b) 2., 71.47 (1dx) (b) 3., 71.47 (1dx) (b) 4., 71.47 (1dx) (b) 5.,
71.47 (1dx) (be), 71.47 (1dx) (bg), 71.47 (1dx) (c), 71.47 (1dx) (d), 71.47 (1dy) (a),
71.47 (1dy) (b), 71.47 (1dy) (c) 1., 71.47 (1dy) (c) 2., 71.47 (1dy) (d) 2., 71.47 (3g)
(a) (intro.), 71.47 (3g) (b), 71.47 (3g) (e) 2., 71.47 (3g) (f) 1., 71.47 (3g) (f) 2., 71.47
(3q) (a) 1., 71.47 (3q) (a) 2., 71.47 (3q) (b) (intro.), 71.47 (3q) (b) 1., 71.47 (3q) (b)
2., 71.47 (3q) (c) 2., 71.47 (3q) (c) 3., 71.47 (3w) (a) 2., 71.47 (3w) (a) 3., 71.47 (3w)
(a) 4., 71.47 (3w) (a) 5d., 71.47 (3w) (a) 5e., 71.47 (3w) (b) (intro.), 71.47 (3w) (b)
SENATE BILL 468

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

Analysis by the Legislative Reference Bureau

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

Transition

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

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

The members appointed by the governor must include representatives of local and regional economic development agencies.

The bill requires the transition council to develop a detailed plan for the transfer of WEDC’s duties, powers, and functions to DEO and the Badger Innovation Corporation. The transition council is required to submit the transition plan to the governor within 12 months after the bill is enacted, except that the Joint Committee on Finance may approve an extension of that deadline.

The bill requires the governor to include the transition plan as a part of the executive budget for the 2017–19 fiscal biennium, unless the transition plan is not ready at that time, in which case the governor must include the transition plan as a part of the executive budget for the 2019–21 fiscal biennium. If the transition plan or a version of it is enacted as a part of the 2017–19 or 2019–21 biennial budget act, the transition plan takes effect approximately six months after enactment of the biennial budget act, unless the legislature specifies a different effective date.

The transition council is required to send a notice to the Legislative Reference Bureau for publication in the Wisconsin Administrative Register that confirms enactment of the transition plan and states the effective date of the transition plan as enacted. If that notice is not provided before July 1, 2020, the transition plan does not take effect.
Under the bill, DEO assumes most of WEDC’s functions related to economic development, including reporting requirements. The bill also includes new responsibilities for DEO, including the following:

1. DEO emphasizes economic development programs that encourage entrepreneurship, new business start-ups, and woman-owned, disabled-veteran owned, and minority businesses.

2. DEO must post on its Internet site DEO’s job creation and retention goals; all amendments to contracts executed under an economic development program of DEO; and all agendas, meeting minutes, and materials discussed for meetings of the Economic Development Policy Board, described below, and the board of directors of the Badger Innovation Corporation.

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

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

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

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

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

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

**Badger Innovation Corporation**

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

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

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

1. Develop and implement economic programs to provide business support and expertise and financial assistance to companies that are investing and creating jobs in Wisconsin and to support new business start-ups and business expansion and growth in Wisconsin.
2. Conduct foreign trade missions, business siting promotion, international business development, and marketing.
3. Create industry cluster development strategies.
4. Adopt the bylaws for the corporation drafted by the transition council and maintain the required composition and method of selection of the corporation’s board of directors.
5. Provide public access to its records consistent with the state public records law.
6. Provide public access to its meetings consistent with the state open meetings law.
7. Fully cooperate with the Legislative Audit Bureau for purposes of a biennial financial audit and program evaluation audit of the corporation.
SENATE BILL 468

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

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

SECTION 1. 1.12 (1) (b) of the statutes is amended to read:

1.12 (1) (b) “State agency” means an office, department, agency, institution of higher education, the legislature, a legislative service agency, the courts, a judicial branch agency, an association, society, or other body in state government that is created or authorized to be created by the constitution or by law, for which appropriations are made by law, excluding the Wisconsin Economic Development Corporation.

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

13.172 (1) In this section, “agency” means an office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, and any authority created in subch. II of ch. 114 or in ch. 231, 233, 234, 238, or 279.

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

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

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

13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or facility that is constructed for the benefit of or use of the state, any state agency, board, commission or department, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Economic Development Corporation, and an airport authority.
Development Corporation, or any local professional baseball park district created under subch. III of ch. 229 if the construction is undertaken by the department of administration on behalf of the district, shall be in compliance with all applicable state laws, rules, codes and regulations but the construction is not subject to the ordinances or regulations of the municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.

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

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

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

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

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

13.94 (1) (dr) Biennially, beginning in 2013, conduct a financial audit of the Wisconsin Economic Development Corporation department of economic opportunity and a program evaluation audit of the economic development programs administered by the Wisconsin Economic Development Corporation department of
economic opportunity under ch. 238 555. The legislative audit bureau shall file a

Section 8  SENATE BILL 468

copy of each audit report under this paragraph with the distributees specified in par.

(b).

Section 9  13.94 (1) (ds) of the statutes is created to read:

13.94 (1) (ds) 1. In this paragraph and in sub. (1s) (c) 5m., “Badger Innovation

Corporation” means the corporation specified in s. 16.35 (3).

2. Each odd-numbered year, conduct a financial audit of the Badger Innovation

Corporation and a program evaluation audit of the economic development programs

conducted by the Badger Innovation Corporation under its contract with the

department of economic opportunity. The legislative audit bureau shall file a copy

of each audit report under this subdivision with the distributees specified in par. (b).

Section 10. 13.94 (1) (ms) of the statutes is amended to read:

13.94 (1) (ms) No later than July 1, 2014, prepare a financial and performance

evaluation audit of the economic development tax benefit program under ss. 238.301

555.301 to 238.306 555.306. The legislative audit bureau shall file a copy of the

report of the audit under this paragraph with the distributees specified in par. (b).

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

13.94 (1s) (c) 5. The Wisconsin Economic Development Corporation

department of economic opportunity for the cost of the audit required to be performed

under sub. (1) (dr).

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

13.94 (1s) (c) 5m. The Badger Innovation Corporation for the cost of the audit

required to be performed under sub. (1) (ds).

Section 13. 13.94 (4) (a) 1. of the statutes is amended to read:
13.94 (4) (a) 1. Every state department, board, examining board, affiliated credentialing board, commission, independent agency, council or office in the executive branch of state government; all bodies created by the legislature in the legislative or judicial branch of state government; any public body corporate and politic created by the legislature including specifically the Fox River Navigational System Authority, the Lower Fox River Remediation Authority, the Wisconsin Aerospace Authority, the Wisconsin Economic Development Corporation, a professional baseball park district, a local professional football stadium district, a local cultural arts district and a long-term care district under s. 46.2895; every Wisconsin works agency under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical college district boards; every county department under s. 51.42 or 51.437; every nonprofit corporation or cooperative or unincorporated cooperative association to which moneys are specifically appropriated by state law; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law, including subgrantee or subcontractor recipients of such funds.

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

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

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

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

(b) The council consists of the following members:

1. Five members appointed by the governor.

2. One representative to the assembly appointed by the speaker of the assembly.

3. One representative to the assembly appointed by the minority leader of the assembly.

4. One senator appointed by the majority leader of the senate.

5. One senator appointed by the minority leader of the senate.

6. The chief executive officer, chief operating officer, and chief financial officer of the Wisconsin Economic Development Corporation.

7. The secretary of administration.

8. The secretary of revenue.

(c) The members appointed under par. (b) 1. shall include representatives of local and regional economic development agencies.

(d) The Wisconsin Economic Development Corporation shall provide staffing and facilities for the council.
(e) The council shall be dissolved on January 1, 2019.

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

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

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

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

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

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

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

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

16.002 (2) “Departments” means constitutional offices, departments, and independent agencies and includes all societies, associations, and other agencies of state government for which appropriations are made by law, but not including authorities created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237, 238, or 279.
SECTION 20. 16.004 (4) of the statutes is amended to read:

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

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

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

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

16.045 (1) (a) “Agency” means an office, department, independent agency,
institution of higher education, association, society, or other body in state
government created or authorized to be created by the constitution or any law, that
is entitled to expend moneys appropriated by law, including the legislature and the
courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 232,
233, 234, 237, 238, or 279.

SECTION 23. 16.295 of the statutes is renumbered 555.155.

SECTION 24. 16.309 of the statutes is renumbered 555.129.

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

16.35 Economic development transition council. (1) DEFINITIONS. In this
section:
(a) “Badger Innovation Corporation” means the corporation specified in sub. (3).

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

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

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

(2) Transition Plan. (a) The transition council shall develop a detailed plan for the transfer of the Wisconsin Economic Development Corporation’s duties, powers, and functions to the department and the Badger Innovation Corporation. The plan shall include all of the following:

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

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

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

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

5. A plan for the transfer of all matters pending with the Wisconsin Economic Development Corporation to the department or the Badger Innovation Corporation.

The plan under this subdivision shall provide that all materials submitted to or actions taken by the Wisconsin Economic Development Corporation with respect to
the pending matter are considered as having been submitted to or taken by the
department or the Badger Innovation Corporation, as appropriate.

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

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

8. Proposed legislation reconciling the acts of 2015, 2017, and 2019, as
appropriate, with 2015 Wisconsin Act .... (this act). The transition council shall use
the drafting services of the legislative reference bureau to draft the proposed
legislation.
(b) 1. The transition council shall submit the transition plan to the governor within 12 months after the effective date of this subdivision .... [LRB inserts date]. The joint committee on finance may approve an extension of that deadline if requested by the transition council.

2. Except as provided in subd. 4., the governor shall include the transition plan submitted by the transition council under subd. 1. as a part of the governor’s executive budget for the 2017–19 fiscal biennium.

3. If the transition plan or a version of it is enacted as a part of the 2017–19 biennial budget act, and unless a different effective date is provided in the 2017–19 biennial budget act, the transition plan as enacted shall take effect on the first day of the 7th month beginning after publication of the 2017–19 biennial budget act.

4. If the transition council does not submit the transition plan to the governor in time for inclusion as a part of the governor’s executive budget for the 2017–19 fiscal biennium, the governor shall include the transition plan submitted by the transition council under subd. 1. as a part of the governor’s executive budget for the 2019–21 fiscal biennium.

5. If the transition plan or a version of it is enacted as a part of the 2019–21 biennial budget act, and unless a different effective date is provided in the 2019–21 biennial budget act, the transition plan as enacted shall take effect on the first day of the 7th month beginning after publication of the 2019–21 biennial budget act.

6. The chairperson of the transition council shall send a notice to the legislative reference bureau for publication in the Wisconsin Administrative Register that confirms enactment of the transition plan and states the effective date of the transition plan as enacted.
(3) Badger Innovation Corporation; creation. The transition council shall do all of the following:

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

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

Section 26. 16.35 of the statutes, as created by 2015 Wisconsin Act .... (this act), is repealed.

Section 27. 16.41 (4) of the statutes is amended to read:

16.41 (4) In this section, “authority” means a body created under subch. II of ch. 114 or under ch. 231, 232, 233, 234, 237, 238, or 279.

Section 28. 16.417 (1) (b) of the statutes is amended to read:

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

Section 29. 16.52 (7) of the statutes is amended to read:

16.52 (7) Petty Cash Account. With the approval of the secretary, each agency that is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash account from its contingent fund. The procedure for operation and maintenance of petty cash accounts and the character of expenditures therefrom shall be prescribed by the secretary. In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law,
including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233, 234, 237, 238, or 279.

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

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

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

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

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

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

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

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

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

16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs, and the cost of insurance contracts under sub. (5). In this subsection, “agency” means an office, department, independent agency, institution of higher education, association, society, or other body in state government created...
or authorized to be created by the constitution or any law, that is entitled to expend
moneys appropriated by law, including the legislature and the courts, but not
including an authority created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237,
238, or 279.

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

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

SECTION 37. 19.56 (2) (b) 6. of the statutes is amended to read:
19.56 (2) (b) 6. Is made available to the official by the Wisconsin Economic
Development Corporation department of economic opportunity or the department of
tourism in accordance with sub. (3) (e), (em) or (f).

SECTION 38. 19.56 (3) (e) (intro.) of the statutes is amended to read:
19.56 (3) (e) (intro.) A state public official who is an officer or employee of the
Wisconsin Economic Development Corporation department of economic opportunity
may solicit, receive and retain on behalf of the state anything of value for the purpose
of any of the following:

SECTION 39. 19.56 (3) (e) 1. of the statutes is amended to read:
19.56 (3) (e) 1. The sponsorship by the Wisconsin Economic Development
Corporation department of economic opportunity of a trip to a foreign country
primarily to promote trade between that country and this state that the Wisconsin
Economic Development Corporation department of economic opportunity can
demonstrate through clear and convincing evidence is primarily for the benefit of
this state.

SECTION 40. 19.56 (3) (f) of the statutes is amended to read:
19.56 (3) (f) A state public official may receive and retain from the Wisconsin
Economic Development Corporation department of economic opportunity anything
of value which the Wisconsin Economic Development Corporation department of economic opportunity is authorized to provide under par. (e) and may receive and retain from the department of tourism anything of value which the department of tourism is authorized to provide under par. (em).

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

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

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

<table>
<thead>
<tr>
<th>2015-16</th>
<th>2016-17</th>
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<tbody>
<tr>
<td>20.505 Administration, department of</td>
<td></td>
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</tbody>
</table>

**(1) SUPERVISION AND MANAGEMENT**

(zr) Badger Innovation Corporation SEG C −0− −0−

**SECTION 43.** 20.143 (intro.) of the statutes is created to read:

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

**SECTION 44.** 20.143 (1) (g) of the statutes is created to read:
20.143 (1) (g) **Gifts, grants, and proceeds.** All moneys received from gifts, donations, grants, bequests, and devises and all proceeds from services, conferences, and sales of publications and promotional materials, for the purposes for which made or collected.

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

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

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

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

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

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

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

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

20.143 (1) (m) **Federal aid; programs.** All moneys received from the federal government as authorized by the governor under s. 16.54 and all moneys transferred under 2011 Wisconsin Act 32, section 9210 (3), for the purposes of funding programs
administered by the Wisconsin Economic Development Corporation department of economic opportunity.

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

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

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

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

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

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

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

20.143 (1) (fm) Fund of funds investment program. The amounts in the schedule for the venture capital investment program under s. 16.295 555.155.

**SECTION 55.** 20.505 (1) (zr) of the statutes is created to read:
20.505 (1) (zr) Badger Innovation Corporation. As a continuing appropriation, from the economic development fund, the amounts in the schedule for the payments to the Badger Innovation Corporation under s. 555.44 (2).

SECTION 56. 23.167 (2) (intro.) of the statutes is amended to read:
23.167 (2) (intro.) The department, in consultation with the Wisconsin Economic Development Corporation department of economic opportunity, shall do all of the following for each economic development program administered by the department:

SECTION 57. 23.169 (1) of the statutes is amended to read:
23.169 (1) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 58. 23.169 (2) of the statutes is amended to read:
23.169 (2) Annually, no later than October 1, the department shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in s. 23.167 (1), administered by the department. The report shall include all of the information required under s. 238.07 (2) 555.07 (2). The department shall collaborate with the Wisconsin Economic Development Corporation department of economic opportunity to make readily accessible to the public on an Internet–based system the information required under this section.

SECTION 59. 25.17 (70) (d) of the statutes is amended to read:
25.17 (70) (d) Comments solicited from the chief executive officer of the Wisconsin Economic Development Corporation secretary of economic opportunity and received by the board on or before November 30 of the year of submittal.
**SECTION 60.** 25.17 (72) of the statutes is amended to read:

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

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

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

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

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

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

30.121 (3w) (b) The boathouse is located on land zoned exclusively for commercial or industrial purposes or the boathouse is located on a brownfield, as
defined in s. 238.13 555.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3) (a).

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

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

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

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

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

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

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

36.25 (24) EMPLOYEE-OWNED BUSINESSES PROGRAM. Through the University of Wisconsin small business development center, in cooperation with the Wisconsin Economic Development Corporation department of economic opportunity, the technical college system board and the University of Wisconsin-Extension, the board
shall create, as needed, educational programs to provide training in the management
of employee–owned businesses and shall provide technical assistance to
employee–owned businesses in matters affecting their management and business
operations, including assistance with governmental relations and assistance in
obtaining management, technical and financial assistance.

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

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

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

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

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

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

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

**SECTION 72.** 40.05 (4) (b) of the statutes is amended to read:
40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5) and subch. V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee’s highest basic pay rate he or she received while employed by the state, to credits for payment of health insurance premiums on behalf of the employee or the employee’s surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor, or education director for the employee’s completion of educational courses that have been approved by the employee’s employer is considered as part of the employee’s basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Upon conversion of an employee’s unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee’s surviving insured dependents may initiate deductions from those credits or may elect to delay initiation of deductions from those credits, but only if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the date on
which the employee or surviving insured dependents later elect to initiate deductions from those credits. If an employee or an employee’s surviving insured dependents elect to delay initiation of deductions from those credits, an employee or the employee’s surviving insured dependents may only later elect to initiate deductions from those credits during the annual enrollment period under par. (be).

A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

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

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

**SECTION 74.** 40.05 (5) (b) 4. of the statutes is amended to read:
40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5) and subch. V of ch. 111.

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

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

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

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

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

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

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

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

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

41.11 (1r) (b) Annually, no later than October 1, the department shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (1g) (a), administered by the department.
The report shall include all of the information required under s. 238.07 555.07 (2).

The department shall collaborate with the Wisconsin Economic Development Corporation department of economic opportunity to make readily accessible to the public on an Internet–based system the information required under this subsection.

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

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

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

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

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

66.1103 (4m) (a) 1. The person, at least 30 days prior to entering into the revenue agreement, has given a notice of intent to enter into the agreement, on a form prescribed under s. 238.11 555.11 (1), to the Wisconsin Economic Development
Corporation department of economic opportunity and to any collective bargaining agent in this state with whom the person has a collective bargaining agreement.

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

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

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

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

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

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

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

66.1103 (4s) (b) 3. The employer shall certify compliance with this subsection to the Wisconsin Economic Development Corporation department, to the governing body of each municipality or county
within which a lost job exists and to any collective bargaining agent in this state with
which the employer has a collective bargaining agreement at the project site or at a
site where a lost job exists.

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

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

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

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

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

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

SECTION 90. 66.1103 (10) (g) of the statutes is amended to read:
66.1103 (10) (g) Bonds may not be issued unless prior to adoption of an initial resolution a document which provides a good faith estimate of attorney fees which will be paid from bond proceeds is filed with the clerk of the municipality or county and the Wisconsin Economic Development Corporation department of economic opportunity.

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

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

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

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

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

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

71.07 (2dm) (a) 4. “Previously owned property” means real property that the claimant or a related person owned during the 2 years prior to the department of commerce or the Wisconsin Economic Development Corporation or the department of economic opportunity designating the place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section
267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue
Code is modified so that if the claimant owns any part of the property, rather than
50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue
Code for purposes of this subsection.

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

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

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

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

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

71.07 (2dm) (i) Partnerships, limited liability companies, and tax−option
corporations may not claim the credit under this subsection, but the eligibility for,
and the amount of, that credit shall be determined on the basis of their economic
activity, not that of their shareholders, partners, or members. The corporation,
partnership, or limited liability company shall compute the amount of credit that
may be claimed by each of its shareholders, partners, or members and provide that
information to its shareholders, partners, or members. Partners, members of limited
liability companies, and shareholders of tax−option corporations may claim the
credit based on the partnership’s, company’s, or corporation’s activities in proportion
to their ownership interest and may offset it against the tax attributable to their
income from the partnership’s, company’s, or corporation’s business operations in the
development zone; except that partners, members, and shareholders in a
development zone under s. 555.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s.
560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax
attributable to their income.

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

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

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

71.07 (2dm) (k) If a person who is entitled under s. 555.395 (3) (a) 4. or s.
238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
or certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013
stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business
operations in the development zone during any of the taxable years that that zone
exists, that person may not carry over to any taxable year following the year during
which operations cease any unused credits from the taxable year during which
operations cease or from previous taxable years.

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

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

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

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

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

71.07 (2dx) (b) Credit. (intro.) Except as provided in pars. (be) and (bg) and
in s. 73.03 (35), and subject to s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009
stats., for any taxable year for which the person is entitled under s. 555.395 (3) or s.
238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified
under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 or s. 238.365 (3), 2013
stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the
taxes otherwise due under this chapter the following amounts:

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

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

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

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

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

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

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

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

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

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

71.07 (2dx) (c) **Credit precluded.** If the certification of a person for tax benefits
under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013
SENATE BILL 468

SECTION 106. Stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

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

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

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

71.07 (2dy) (a) Definition. In this subsection, “claimant” means a person who files a claim under this subsection and is certified under s. 555.301 (2) or s. 238.301
(2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

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

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

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

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

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

71.07 (2dy) (c) 2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their authorization to claim tax benefits under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.
SECTION 112. 71.07 (2dy) (d) 2. of the statutes is amended to read:

71.07 (2dy) (d) 2. If a claimant’s certification is revoked under s. 555.305 or s. 238.305, 2013 stats., or s. 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s. 555.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the claimant may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years and the claimant may not carry over unused credits from previous years to offset the tax imposed under s. 71.02 or 71.08 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 113. 71.07 (3g) (a) (intro.) of the statutes is amended to read:

71.07 (3g) (a) (intro.) Subject to the limitations under this subsection and ss. 73.03 (35m) and 555.23 and s. 238.23, 2013 stats., and s. 560.96, 2009 stats., a business that is certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.02 an amount equal to the sum of the following, as established under s. 555.23 (3) (c) or s. 238.23 (3) (c), 2013 stats., or s. 560.96 (3) (c), 2009 stats.:

SECTION 114. 71.07 (3g) (b) of the statutes is amended to read:

71.07 (3g) (b) The department of revenue shall notify the department of commerce or the Wisconsin Economic Development Corporation department of economic opportunity of all claims under this subsection.

SECTION 115. 71.07 (3g) (e) 2. of the statutes is amended to read:
71.07 (3g) (e) 2. The investments that relate to the amount described under par. (a) 2. for which a claimant makes a claim under this subsection must be retained for use in the technology zone for the period during which the claimant’s business is certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats. or s. 560.96 (3), 2009 stats.

SECTION 116. 71.07 (3g) (f) 1. of the statutes is amended to read:

71.07 (3g) (f) 1. A copy of the verification that the claimant’s business is certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats. or s. 560.96 (3), 2009 stats., and that the business has entered into an agreement under s. 555.23 (3) (d) or s. 238.23 (3) (d), 2013 stats. or s. 560.96 (3) (d), 2009 stats.

SECTION 117. 71.07 (3g) (f) 2. of the statutes is amended to read:

71.07 (3g) (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation or the department of economic opportunity verifying the purchase price of the investment described under par. (a) 2. and verifying that the investment fulfills the requirement under par. (e) 2.

SECTION 118. 71.07 (3q) (a) 1. of the statutes is amended to read:

71.07 (3q) (a) 1. “Claimant” means a person certified to receive tax benefits under s. 555.16 (2) or s. 238.16 (2), 2013 stats. or s. 560.2055 (2), 2009 stats.

SECTION 119. 71.07 (3q) (a) 2. of the statutes is amended to read:

71.07 (3q) (a) 2. “Eligible employee” means, for taxable years beginning before January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for taxable years beginning after December 31, 2010, an eligible employee under s. 238.16 555.16 (1) (b) who satisfies the wage requirements under s. 238.16 555.16 (3) (a) or (b).

SECTION 120. 71.07 (3q) (b) (intro.) of the statutes is amended to read:
71.07 (3q) (b) Filing claims. (intro.) Subject to the limitations provided in this subsection and s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under ss. 71.02 and 71.08 any of the following:

**SECTION 121.** 71.07 (3q) (b) 1. of the statutes is amended to read:

71.07 (3q) (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the department of economic opportunity under s. 555.16 or the Wisconsin Economic Development Corporation under s. 238.16, 2013 stats., or the department of commerce under s. 560.2055, 2009 stats.

**SECTION 122.** 71.07 (3q) (b) 2. of the statutes is amended to read:

71.07 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable year, as determined under s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., to undertake the training activities described under s. 555.16 (3) (c) or s. 238.16 (3) (c), 2013 stats., or s. 560.2055 (3) (c), 2009 stats.

**SECTION 123.** 71.07 (3q) (c) 2. of the statutes is amended to read:

71.07 (3q) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 555.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

**SECTION 124.** 71.07 (3q) (c) 3. of the statutes is amended to read:

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

SECTION 125. 71.07 (3w) (a) 2. of the statutes is amended to read:

71.07 (3w) (a) 2. “Claimant” means a person who is certified to claim tax benefits under s. 555.399 (5) or s. 238.399 (5), 2013 stats., or s. 560.799 (5), 2009 stats., and who files a claim under this subsection.

SECTION 126. 71.07 (3w) (a) 3. of the statutes is amended to read:

71.07 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined in s. 555.399 (1) (am) or s. 238.399 (1) (am), 2013 stats., or s. 560.799 (1) (am), 2009 stats.

SECTION 127. 71.07 (3w) (a) 4. of the statutes is amended to read:

71.07 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 128. 71.07 (3w) (a) 5d. of the statutes is amended to read:

71.07 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or municipality, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 129. 71.07 (3w) (a) 5e. of the statutes is amended to read:

71.07 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or municipality, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 130. 71.07 (3w) (b) (intro.) of the statutes is amended to read:

71.07 (3w) (b) Filing claims; payroll. (intro.) Subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799,
2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02
or 71.08 an amount calculated as follows:

**SECTION 131.** 71.07 (3w) (b) 5. of the statutes is amended to read:

71.07 (3w) (b) 5. Multiply the amount determined under subd. 4. by the
percentage determined by under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799,
2009 stats., not to exceed 7 percent.

**SECTION 132.** 71.07 (3w) (bm) 1. of the statutes is amended to read:

71.07 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and
4., and subject to the limitations provided in this subsection and s. 555.399 or s.
238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
against the tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as
determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not
to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade
or improve the job-related skills of any of the claimant’s full-time employees, to train
any of the claimant’s full-time employees on the use of job-related new technologies,
or to provide job-related training to any full-time employee whose employment with
the claimant represents the employee’s first full-time job. This subdivision does not
apply to employees who do not work in an enterprise zone.

**SECTION 133.** 71.07 (3w) (bm) 2. of the statutes is amended to read:

71.07 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
4., and subject to the limitations provided in this subsection and s. 555.399 or s.
238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
against the tax imposed under s. 71.02 or 71.08 an amount equal to the percentage,
as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.,
not to exceed 7 percent, of the claimant’s zone payroll paid in the taxable year to all
of the claimant’s full-time employees whose annual wages are greater than the
amount determined by multiplying 2,080 by 150 percent of the federal minimum
wage in a tier I county or municipality, not including the wages paid to the employees
determined under par. (b) 1., or greater than $30,000 in a tier II county or
municipality, not including the wages paid to the employees determined under par.
(b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
the total number of such employees is equal to or greater than the total number of
such employees in the base year. A claimant may claim a credit under this
subdivision for no more than 5 consecutive taxable years.

SECTION 134. 71.07 (3w) (bm) 3. of the statutes is amended to read:

71.07 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and
4., and subject to the limitations provided in this subsection and s. 555.399 or s.
238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
December 31, 2008, a claimant may claim as a credit against the tax imposed under
s. 71.02 or 71.08 up to 10 percent of the claimant’s significant capital expenditures,
as determined under s. 555.399 (5m) or s. 238.399 (5m), 2013 stats., or s. 560.799
(5m), 2009 stats.

SECTION 135. 71.07 (3w) (bm) 4. of the statutes is amended to read:

71.07 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and
3., and subject to the limitations provided in this subsection and s. 555.399 or s.
238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
December 31, 2009, a claimant may claim as a credit against the tax imposed under
s. 71.02 or 71.08, up to 1 percent of the amount that the claimant paid in the taxable
year to purchase tangible personal property, items, property, or goods under s. 77.52
(1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 555.399
(5) (e) or s. 238.399 (5) (e), 2013 stats., or s. 560.799 (5) (e), 2009 stats., except that
the claimant may not claim the credit under this subdivision and subd. 3. for the
same expenditures.

SECTION 136. 71.07 (3w) (c) 3. of the statutes is amended to read:

71.07 (3w) (c) 3. No credit may be allowed under this subsection unless the
claimant includes with the claimant’s return a copy of the claimant’s certification for
tax benefits under s. 555.399 (5) or (5m) or s. 238.399 (5) or (5m), 2013 stats., or s.
560.799 (5) or (5m), 2009 stats.

SECTION 137. 71.07 (3w) (d) of the statutes is amended to read:

71.07 (3w) (d) Administration. Section 71.28 (4) (g) and (h), as it applies to the
credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall
include with their returns a copy of their certification for tax benefits, and a copy of
the verification of their expenses, from the department of commerce or the Wisconsin
Economic Development Corporation or the department of economic opportunity.

SECTION 138. 71.07 (3y) (a) 1. of the statutes, as created by 2015 Wisconsin Act
55, is amended to read:

71.07 (3y) (a) 1. “Claimant” means a person certified to receive tax benefits
under s. 238.308 555.308.

SECTION 139. 71.07 (3y) (a) 2. of the statutes, as created by 2015 Wisconsin Act
55, is amended to read:

71.07 (3y) (a) 2. “Eligible employee” has the meaning given in s. 238.308
555.308 (1) (a).

SECTION 140. 71.07 (3y) (b) (intro.) of the statutes, as created by 2015 Wisconsin
Act 55, is amended to read:
71.07 (3y) (b) **Filing claims.** (intro.) Subject to the limitations provided in this subsection and s. 238.308 555.308, for taxable years beginning after December 31, 2015, a claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08 all of the following:

**SECTION 141.** 71.07 (3y) (b) 1. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.07 (3y) (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the Wisconsin Economic Development Corporation department of economic opportunity under s. 238.308 555.308.

**SECTION 142.** 71.07 (3y) (b) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.07 (3y) (b) 2. In addition to any amount claimed for an eligible employee under subd. 1., the amount of wages that the claimant paid to the eligible employee in the taxable year, not to exceed 5 percent of such wages, if the eligible employee is employed in an economically distressed area, as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

**SECTION 143.** 71.07 (3y) (b) 3. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.07 (3y) (b) 3. The amount of training costs that the claimant incurred under s. 238.308 555.308 (4) (a) 3., not to exceed 50 percent of such costs, as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

**SECTION 144.** 71.07 (3y) (b) 4. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:
71.07 (3y) (b) 4. The amount of the personal property investment, not to exceed 3 percent of such investment, and the amount of the real property investment, not to exceed 5 percent of such investment, in a capital investment project that satisfies s. 238.308 555.308 (4) (a) 4., as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

**SECTION 145.** 71.07 (3y) (b) 5. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.07 (3y) (b) 5. An amount, as determined by the Wisconsin Economic Development Corporation department of economic opportunity under s. 238.308 555.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant’s location or retention of the claimant’s corporate headquarters in Wisconsin and the job duties associated with the eligible employee’s position involve the performance of corporate headquarters functions.

**SECTION 146.** 71.07 (3y) (c) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.07 (3y) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 238.308 555.308.

**SECTION 147.** 71.07 (5b) (a) 2. of the statutes is amended to read:

71.07 (5b) (a) 2. “Fund manager” means an investment fund manager certified under s. 555.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

**SECTION 148.** 71.07 (5b) (b) 1. of the statutes is amended to read:
71.07 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject to the limitations provided under this subsection and s. 555.15 or s. 238.15, 2013 stats., or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08, up to the amount of those taxes, 25 percent of the claimant’s investment paid to a fund manager that the fund manager invests in a business certified under s. 555.15 (1) or s. 238.15 (1), 2013 stats., or s. 560.205 (1), 2009 stats.

SECTION 149. 71.07 (5b) (b) 2. of the statutes is amended to read:

71.07 (5b) (b) 2. In the case of a partnership, limited liability company, or tax−option corporation, the computation of the 25 percent limitation under subd. 1. shall be determined at the entity level rather than the claimant level and may be allocated among the claimants who make investments in the manner set forth in the entity’s organizational documents. The entity shall provide to the department of revenue and to the department of commerce or the Wisconsin Economic Development Corporation the names and tax identification numbers of the claimants, the amounts of the credits allocated to the claimants, and the computation of the allocations.

SECTION 150. 71.07 (5b) (d) 3. of the statutes is amended to read:

71.07 (5b) (d) 3. Except as provided under s. 238.15 555.15 (3) (d) (intro.), for investments made after December 31, 2007, if an investment for which a claimant claims a credit under par. (b) is held by the claimant for less than 3 years, the claimant shall pay to the department, in the manner prescribed by the department, the amount of the credit that the claimant received related to the investment.

SECTION 151. 71.07 (5d) (a) 1. (intro.) of the statutes is amended to read:
71.07 (5d) (a) 1. (intro.) “Bona fide angel investment” means a purchase of an equity interest, or any other expenditure, as determined by rule under s. 555.15 or s. 238.15, 2013 stats., or s. 560.205, 2009 stats., that is made by any of the following:

SECTION 152. 71.07 (5d) (a) 2m. of the statutes is amended to read:

71.07 (5d) (a) 2m. “Person” means a partnership or limited liability company that is a nonoperating entity, as determined by the department of commerce or the Wisconsin Economic Development Corporation department of economic opportunity, a natural person, or fiduciary.

SECTION 153. 71.07 (5d) (a) 3. of the statutes is amended to read:

71.07 (5d) (a) 3. “Qualified new business venture” means a business that is certified under s. 555.15 (1) or s. 238.15 (1), 2013 stats., or s. 560.205 (1), 2009 stats.

SECTION 154. 71.07 (5d) (b) (intro.) of the statutes is amended to read:

71.07 (5d) (b) Filing claims. (intro.) Subject to the limitations provided in this subsection and in s. 555.15 or s. 238.15, 2013 stats., or s. 560.205, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to the amount of those taxes, the following:

SECTION 155. 71.07 (5d) (b) 1. of the statutes is amended to read:

71.07 (5d) (b) 1. For taxable years beginning before January 1, 2008, in each taxable year for 2 consecutive years, beginning with the taxable year as certified by the department of commerce or, the Wisconsin Economic Development Corporation, or the department of economic opportunity, an amount equal to 12.5 percent of the claimant’s bona fide angel investment made directly in a qualified new business venture.

SECTION 156. 71.07 (5d) (b) 2. of the statutes is amended to read:
71.07 (5d) (b) 2. For taxable years beginning after December 31, 2007, for the
taxable year certified by the department of commerce or the Wisconsin Economic
Development Corporation, or the department of economic opportunity, an amount
equal to 25 percent of the claimant’s bona fide angel investment made directly in a
qualified new business venture.

**SECTION 157.** 71.07 (5d) (c) 2. of the statutes is amended to read:

71.07 (5d) (c) 2. For taxable years beginning before January 1, 2008, the
maximum amount of a claimant’s investment that may be used as the basis for a
credit under this subsection is $2,000,000 for each investment made directly in a
business certified under s. 555.15 (1) or s. 238.15 (1), 2013 stats., or s. 560.205 (1),
2009 stats.

**SECTION 158.** 71.07 (5d) (d) 1. of the statutes is amended to read:

71.07 (5d) (d) 1. Except as provided under s. 238.15 555.15 (3) (d) (intro.), for
investments made after December 31, 2007, if an investment for which a claimant
claims a credit under par. (b) is held by the claimant for less than 3 years, the
claimant shall pay to the department, in the manner prescribed by the department,
the amount of the credit that the claimant received related to the investment.

**SECTION 159.** 71.07 (9m) (c) (intro.) of the statutes is amended to read:

71.07 (9m) (c) (intro.) No person may claim the credit under par. (a) 2m. unless
the claimant includes with the claimant’s return a copy of the claimant’s certification
under s. 238.17 555.17. For certification purposes under s. 238.17 555.17, the
claimant shall provide to the Wisconsin Economic Development Corporation
department of economic opportunity all of the following:

**SECTION 160.** 71.26 (1) (be) of the statutes is amended to read:
71.26 (1) (be) **Certain authorities.** Income of the University of Wisconsin Hospitals and Clinics Authority, of the Fox River Navigational System Authority, of the Wisconsin Economic Development Corporation, and of the Wisconsin Aerospace Authority.

**SECTION 161.** 71.28 (1dm) (a) 1. of the statutes is amended to read:

71.28 (1dm) (a) 1. “Certified” means entitled under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

**SECTION 162.** 71.28 (1dm) (a) 3. of the statutes is amended to read:

71.28 (1dm) (a) 3. “Development zone” means a development opportunity zone under s. 555.395 (1) (e) and (f) or s. 238.395 (1) (e) and (f), 2013 stats., or s. 238.398, 2013 stats., or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009 stats., or an airport development zone under s. 555.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

**SECTION 163.** 71.28 (1dm) (a) 4. of the statutes is amended to read:

71.28 (1dm) (a) 4. “Previously owned property” means real property that the claimant or a related person owned during the 2 years prior to the department of commerce or the Wisconsin Economic Development Corporation or the department of economic opportunity designating the place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than
50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue
Code for purposes of this subsection.

SECTION 164. 71.28 (1dm) (f) 1. of the statutes is amended to read:

71.28 (1dm) (f) 1. A copy of the verification that the claimant may claim tax
benefits under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795
(3) (a) 4., 2009 stats., or is certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4)
or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats.,
or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

SECTION 165. 71.28 (1dm) (f) 2. of the statutes is amended to read:

71.28 (1dm) (f) 2. A statement from the department of commerce or the
Wisconsin Economic Development Corporation or the department of economic
opportunity verifying the purchase price of the investment and verifying that the
investment fulfills the requirements under par. (b).

SECTION 166. 71.28 (1dm) (i) of the statutes is amended to read:

71.28 (1dm) (i) Partnerships, limited liability companies, and tax–option
corporations may not claim the credit under this subsection, but the eligibility for,
and the amount of, that credit shall be determined on the basis of their economic
activity, not that of their shareholders, partners, or members. The corporation,
partnership, or limited liability company shall compute the amount of credit that
may be claimed by each of its shareholders, partners, or members and provide that
information to its shareholders, partners, or members. Partners, members of limited
liability companies, and shareholders of tax–option corporations may claim the
credit based on the partnership’s, company’s, or corporation’s activities in proportion
to their ownership interest and may offset it against the tax attributable to their
income from the partnership’s, company’s, or corporation’s business operations in the
development zone; except that partners, members, and shareholders in a development zone under s. 555.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax attributable to their income.

Section 167. 71.28 (1dm) (j) of the statutes is amended to read:

71.28 (1dm) (j) If a person who is entitled under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, or if a person’s certification under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years, and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

Section 168. 71.28 (1dm) (k) of the statutes is amended to read:

71.28 (1dm) (k) If a person who is entitled under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone during any of the taxable years that that zone...
exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

**SECTION 169.** 71.28 (1dx) (a) 2. of the statutes is amended to read:

71.28 (1dx) (a) 2. “Development zone” means a development zone under s. 555.30 or s. 238.30, 2013 stats., or s. 560.70, 2009 stats., a development opportunity zone under s. 555.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats., an enterprise development zone under s. 555.397 or s. 238.397, 2013 stats., or s. 560.797, 2009 stats., an agricultural development zone under s. 555.398 or s. 238.398, 2013 stats., or s. 560.798, 2009 stats., or an airport development zone under s. 555.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

**SECTION 170.** 71.28 (1dx) (a) 4. of the statutes is amended to read:

71.28 (1dx) (a) 4. “Full-time job” has the meaning given in s. 238.30 555.30 (2m).

**SECTION 171.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

71.28 (1dx) (b) Credit. (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., for any taxable year for which the person is entitled under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

**SECTION 172.** 71.28 (1dx) (b) 2. of the statutes is amended to read:
71.28 (1dx) (b) 2. The amount determined by multiplying the amount
determined under s. 555.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1)
b), 2009 stats., by the number of full-time jobs created in a development zone and
filled by a member of a targeted group and by then subtracting the subsidies paid
under s. 49.147 (3) (a) for those jobs.

SECTION 173. 71.28 (1dx) (b) 3. of the statutes is amended to read:

71.28 (1dx) (b) 3. The amount determined by multiplying the amount
determined under s. 555.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
c), 2009 stats., by the number of full-time jobs created in a development zone and
not filled by a member of a targeted group and by then subtracting the subsidies paid
under s. 49.147 (3) (a) for those jobs.

SECTION 174. 71.28 (1dx) (b) 4. of the statutes, as affected by 2015 Wisconsin
Act 55, is amended to read:

71.28 (1dx) (b) 4. The amount determined by multiplying the amount
determined under s. 555.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785
(bm), 2009 stats., by the number of full-time jobs retained, as provided in the rules
under s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., in an enterprise
development zone under s. 555.397 or s. 238.397, 2013 stats., or s. 560.797, 2009 stats., and for which significant capital investment was made and by
then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 175. 71.28 (1dx) (b) 5. of the statutes, as affected by 2015 Wisconsin
Act 55, is amended to read:

71.28 (1dx) (b) 5. The amount determined by multiplying the amount
determined under s. 555.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
c), 2009 stats., by the number of full-time jobs retained, as provided in the rules
SECTION 175. Senate Bill 468

under s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., in a
development zone and not filled by a member of a targeted group and by then
subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 176. 71.28 (1dx) (be) of the statutes is amended to read:

71.28 (1dx) (be) Offset. A claimant in a development zone under s. 555.395 (1)
(e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset any
credits claimed under this subsection, including any credits carried over, against the
amount of the tax otherwise due under this subchapter attributable to all of the
claimant’s income and against the tax attributable to income from directly related
business operations of the claimant.

SECTION 177. 71.28 (1dx) (bg) of the statutes is amended to read:

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

SECTION 178. 71.28 (1dx) (c) of the statutes is amended to read:
71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

**SECTION 179.** 71.28 (1dx) (d) of the statutes is amended to read:

71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

**SECTION 180.** 71.28 (1dy) (a) of the statutes is amended to read:
71.28 (1dy) (a) **Definition.** In this subsection, “claimant” means a person who files a claim under this subsection and is certified under s. 555.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

**SECTION 181.** 71.28 (1dy) (b) of the statutes is amended to read:

71.28 (1dy) (b) **Filing claims.** Subject to the limitations under this subsection and ss. 555.301 to 555.306 or ss. 238.301 to 238.306, 2013 stats., or ss. 560.701 to 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23, up to the amount of the tax, the amount authorized for the claimant under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

**SECTION 182.** 71.28 (1dy) (c) 1. of the statutes is amended to read:

71.28 (1dy) (c) 1. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification under s. 555.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice of eligibility to receive tax benefits under s. 555.303 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

**SECTION 183.** 71.28 (1dy) (c) 2. of the statutes is amended to read:

71.28 (1dy) (c) 2. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their authorization to claim tax benefits under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability
companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

**SECTION 184.** 71.28 (1dy) (d) 2. of the statutes is amended to read:

71.28 (1dy) (d) 2. If a claimant’s certification is revoked under s. 555.305 or s. 238.305, 2013 stats., or s. 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s. 555.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the claimant may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years and the claimant may not carry over unused credits from previous years to offset the tax imposed under s. 71.23 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years.

**SECTION 185.** 71.28 (3g) (a) (intro.) of the statutes is amended to read:

71.28 (3g) (a) (intro.) Subject to the limitations under this subsection and ss. 73.03 (35m) and 555.23 and s. 238.23, 2013 stats., and s. 560.96, 2009 stats., a business that is certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.23 an amount equal to the sum of the following, as established under s. 555.23 (3) (c) or s. 238.23 (3) (c), 2013 stats., or s. 560.96 (3) (c), 2009 stats.:

**SECTION 186.** 71.28 (3g) (b) of the statutes is amended to read:

71.28 (3g) (b) The department of revenue shall notify the department of commerce or the Wisconsin Economic Development Corporation department of economic opportunity of all claims under this subsection.

**SECTION 187.** 71.28 (3g) (e) 2. of the statutes is amended to read:
71.28 (3g) (e) 2. The investments that relate to the amount described under par.
(a) 2. for which a claimant makes a claim under this subsection must be retained for
use in the technology zone for the period during which the claimant’s business is
certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.

SECTION 188. 71.28 (3g) (f) 1. of the statutes is amended to read:
71.28 (3g) (f) 1. A copy of the verification that the claimant’s business is
certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.,
and that the business has entered into an agreement under s. 555.23 (3) (d) or s.
238.23 (3) (d), 2013 stats., or s. 560.96 (3) (d), 2009 stats.

SECTION 189. 71.28 (3g) (f) 2. of the statutes is amended to read:
71.28 (3g) (f) 2. A statement from the department of commerce or the Wisconsin
Economic Development Corporation or the department of economic opportunity
verifying the purchase price of the investment described under par. (a) 2. and
verifying that the investment fulfills the requirement under par. (e) 2.

SECTION 190. 71.28 (3q) (a) 1. of the statutes is amended to read:
71.28 (3q) (a) 1. “Claimant” means a person certified to receive tax benefits
under s. 555.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

SECTION 191. 71.28 (3q) (a) 2. of the statutes is amended to read:
71.28 (3q) (a) 2. “Eligible employee” means, for taxable years beginning before
January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who
satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for
taxable years beginning after December 31, 2010, an eligible employee under s.
555.16 (1) (b) or s. 238.16 (1) (b), 2013 stats., who satisfies the wage requirements
under s. 555.16 (3) (a) or (b) or s. 238.16 (3) (a) or (b), 2013 stats.

SECTION 192. 71.28 (3q) (b) of the statutes is amended to read:
71.28 (3q) (b) **Filing claims.** Subject to the limitations provided in this subsection and s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under s. 71.23 any of the following:

1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined under s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats.

2. The amount of the costs incurred by the claimant in the taxable year, as determined under s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., to undertake the training activities described under s. 555.16 (3) (c) or s. 238.16 (3) (c), 2013 stats., or s. 560.2055 (3) (c), 2009 stats.

**SECTION 193.** 71.28 (3q) (c) 2. of the statutes is amended to read:

71.28 (3q) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 555.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

**SECTION 194.** 71.28 (3q) (c) 3. of the statutes is amended to read:

71.28 (3q) (c) 3. The maximum amount of credits that may be awarded under this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January 1, 2010, and ending on June 30, 2013, is $14,500,000, not including the amount of any credits reallocated under s. 555.15 (3) (d) or s. 238.15 (3) (d), 2013 stats., or s. 560.205 (3) (d), 2009 stats.

**SECTION 195.** 71.28 (3w) (a) 2. of the statutes is amended to read:
71.28 (3w) (a) 2. “Claimant” means a person who is certified to claim tax benefits under s. 555.399 (5) or s. 238.399 (5), 2013 stats., or s. 560.799 (5), 2009 stats., and who files a claim under this subsection.

SECTION 196. 71.28 (3w) (a) 3. of the statutes is amended to read:

71.28 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined in s. 555.399 (1) (am) or s. 238.399 (1) (am), 2013 stats., or s. 560.799 (1) (am), 2009 stats.

SECTION 197. 71.28 (3w) (a) 4. of the statutes is amended to read:

71.28 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 198. 71.28 (3w) (a) 5d. of the statutes is amended to read:

71.28 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or municipality, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 199. 71.28 (3w) (a) 5e. of the statutes is amended to read:

71.28 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or municipality, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 200. 71.28 (3w) (b) (intro.) of the statutes is amended to read:

71.28 (3w) (b) Filing claims; payroll. (intro.) Subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount calculated as follows:

SECTION 201. 71.28 (3w) (b) 5. of the statutes is amended to read:
71.28 (3w) (b) 5. Multiply the amount determined under subd. 4. by the percentage determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not to exceed 7 percent.

**SECTION 202.** 71.28 (3w) (bm) 1. of the statutes is amended to read:

71.28 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to a percentage, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant’s full-time employees, to train any of the claimant’s full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee’s first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

**SECTION 203.** 71.28 (3w) (bm) 2. of the statutes is amended to read:

71.28 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to the percentage, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant’s zone payroll paid in the taxable year to all of the claimant’s full-time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees.
determined under par. (b) 1., or greater than $30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

SECTION 204. 71.28 (3w) (bm) 3. of the statutes is amended to read:

71.28 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23 up to 10 percent of the claimant’s significant capital expenditures, as determined under s. 555.399 (5m) or s. 238.399 (5m), 2013 stats., or s. 560.799 (5m), 2009 stats.

SECTION 205. 71.28 (3w) (bm) 4. of the statutes is amended to read:

71.28 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.23, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 555.399 (5) (e) or s. 238.399 (5) (e), 2013 stats., or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.
SECTION 206. 71.28 (3w) (c) 3. of the statutes is amended to read:

71.28 (3w) (c) 3. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 555.399 (5) or (5m) or s. 238.399 (5) or (5m), 2013 stats., or s. 560.799 (5) or (5m), 2009 stats.

SECTION 207. 71.28 (3w) (d) of the statutes is amended to read:

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

SECTION 208. 71.28 (3y) (a) 1. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (a) 1. “Claimant” means a person certified to receive tax benefits under s. 238.308 555.308.

SECTION 209. 71.28 (3y) (a) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (a) 2. “Eligible employee” has the meaning given in s. 238.308 555.308 (1) (a).

SECTION 210. 71.28 (3y) (b) (intro.) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (b) Filing claims. (intro.) Subject to the limitations provided in this subsection and s. 238.308 555.308, for taxable years beginning after December 31, 2015, a claimant may claim as a credit against the tax imposed under s. 71.23 all of the following:
SECTION 211. 71.28 (3y) (b) 1. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the Wisconsin Economic Development Corporation department of economic opportunity under s. 238.308 555.308.

SECTION 212. 71.28 (3y) (b) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (b) 2. In addition to any amount claimed for an eligible employee under subd. 1., the amount of wages that the claimant paid to the eligible employee in the taxable year, not to exceed 5 percent of such wages, if the eligible employee is employed in an economically distressed area, as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 213. 71.28 (3y) (b) 3. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (b) 3. The amount of training costs that the claimant incurred under s. 238.308 555.308 (4) (a) 3., not to exceed 50 percent of such costs, as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 214. 71.28 (3y) (b) 4. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (b) 4. The amount of the personal property investment, not to exceed 3 percent of such investment, and the amount of the real property investment, not to exceed 5 percent of such investment, in a capital investment project that satisfies
SENATE BILL 468

S. 238.308 555.308 (4) (a) 4., as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 215. 71.28 (3y) (b) 5. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (b) 5. An amount, as determined by the Wisconsin Economic Development Corporation department of economic opportunity under s. 238.308 555.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant’s location or retention of the claimant’s corporate headquarters in Wisconsin and the job duties associated with the eligible employee’s position involve the performance of corporate headquarters functions.

SECTION 216. 71.28 (3y) (c) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.28 (3y) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 238.308 555.308.

SECTION 217. 71.28 (4) (am) 1. of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

71.28 (4) (am) 1. In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation’s qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that “qualified research expenses” include only expenses incurred by the claimant in a development zone under subch. II of ch. 555 or subch. II of ch. 238, 2013 stats., or
subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative
computation under section 41 (c) (4) of the Internal Revenue Code and that election
applies until the department permits its revocation and except that “qualified
research expenses” does not include research expenses incurred before the claimant
is certified for tax benefits under s. 555.365 (3) or s. 238.365 (3), 2013 stats., or s.
560.765 (3), 2009 stats., or the corporation’s base amount, as defined in section 41 (c)
of the Internal Revenue Code, in a development zone, except that gross receipts used
in calculating the base amount means gross receipts from sales attributable to
Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and
(dk) and research expenses used in calculating the base amount include research
expenses incurred before the claimant is certified for tax benefits under s. 555.365
(3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009 stats., in a development zone,
if the claimant submits with the claimant’s return a copy of the claimant’s
certification for tax benefits under s. 555.365 (3) or s. 238.365 (3), 2013 stats., or s.
560.765 (3), 2009 stats., and a statement from the department of commerce or the
Wisconsin Economic Development Corporation or the department of economic
opportunity verifying the claimant’s qualified research expenses for research
conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to
the credit under this subdivision. Section 41 (h) of the Internal Revenue Code does
not apply to the credit under this subdivision.

SECTION 218. 71.28 (4) (am) 2. of the statutes is amended to read:

71.28 (4) (am) 2. The development zones credit under subd. 1., as it applies to
a person certified under s. 555.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3),
2009 stats., applies to a corporation that conducts economic activity in a development
opportunity zone under s. 555.395 (1) or s. 238.395 (1), 2013 stats., or s. 560.795 (1),
SENATE BILL 468

2009 stats., and that is entitled to tax benefits under s. 555.395 (3) or s. 238.395 (3),
2013 stats., or s. 560.795 (3), 2009 stats., subject to the limits under s. 555.395 (2) or
s. 238.395 (2), 2013 stats., or s. 560.795 (2), 2009 stats. A development opportunity
zone credit under this subdivision may be calculated using expenses incurred by a
claimant beginning on the effective date under s. 555.395 (2) (a) or s. 238.395 (2) (a),
2013 stats., or s. 560.795 (2) (a), 2009 stats., of the development opportunity zone
designation of the area in which the claimant conducts economic activity.

SECTION 219. 71.28 (5b) (a) 2. of the statutes is amended to read:

71.28 (5b) (a) 2. “Fund manager” means an investment fund manager certified
under s. 555.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

SECTION 220. 71.28 (5b) (b) 1. of the statutes is amended to read:

71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
to the limitations provided under this subsection and s. 555.15 or s. 238.15, 2013
stats., or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may
claim as a credit against the tax imposed under s. 71.23, up to the amount of those
taxes, 25 percent of the claimant’s investment paid to a fund manager that the fund
manager invests in a business certified under s. 555.15 (1) or s. 238.15 (1), 2013
stats., or s. 560.205 (1), 2009 stats.

SECTION 221. 71.28 (5b) (b) 2. of the statutes is amended to read:

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

SECTION 222. 71.28 (5b) (d) 3. of the statutes is amended to read:

71.28 (5b) (d) 3. Except as provided under s. 238.15 555.15 (3) (d) (intro.), for
investments made after December 31, 2007, if an investment for which a claimant
claims a credit under par. (b) is held by the claimant for less than 3 years, the
claimant shall pay to the department, in the manner prescribed by the department,
the amount of the credit that the claimant received related to the investment.

SECTION 223. 71.28 (6) (c) (intro.) of the statutes is amended to read:

71.28 (6) (c) (intro.) No person may claim the credit under par. (a) 2m. unless
the claimant includes with the claimant’s return a copy of the claimant’s certification
under s. 238.17 555.17. For certification purposes under s. 238.17 555.17, the
claimant shall provide to the Wisconsin Economic Development Corporation
department of economic opportunity all of the following:

SECTION 224. 71.47 (1dm) (a) 1. of the statutes is amended to read:

71.47 (1dm) (a) 1. “Certified” means entitled under s. 555.395 (3) (a) 4. or s.
238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
or certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013
stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

SECTION 225. 71.47 (1dm) (a) 3. of the statutes is amended to read:

71.47 (1dm) (a) 3. “Development zone” means a development opportunity zone
under s. 555.395 (1) (e) and (f) or 555.398 or s. 238.395 (1) (e) and (f), 2013 stats., or
s. 238.398, 2013 stats. or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009
SENATE BILL 468

1 stats., or an airport development zone under s. 555.3995 or s. 238.3995, 2013 stats.,
or s. 560.7995, 2009 stats.

SECTION 226. 71.47 (1dm) (a) 4. of the statutes is amended to read:

71.47 (1dm) (a) 4. “Previously owned property” means real property that the
claimant or a related person owned during the 2 years prior to the department of
commerce or the Wisconsin Economic Development Corporation or the department
of economic opportunity designating the place where the property is located as a
development zone and for which the claimant may not deduct a loss from the sale of
the property to, or an exchange of the property with, the related person under section
267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue
Code is modified so that if the claimant owns any part of the property, rather than
50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue
Code for purposes of this subsection.

SECTION 227. 71.47 (1dm) (f) 1. of the statutes is amended to read:

71.47 (1dm) (f) 1. A copy of the verification that the claimant may claim tax
benefits under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795
(3) (a) 4., 2009 stats., or is certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4)
or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats.,
or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

SECTION 228. 71.47 (1dm) (f) 2. of the statutes is amended to read:

71.47 (1dm) (f) 2. A statement from the department of commerce or the
Wisconsin Economic Development Corporation or the department of economic
opportunity verifying the purchase price of the investment and verifying that the
investment fulfills the requirements under par. (b).

SECTION 229. 71.47 (1dm) (i) of the statutes is amended to read:
71.47 (1dm) (i) Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners, or members and provide that information to its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit based on the partnership’s, company’s, or corporation’s activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership’s, company’s, or corporation’s business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 555.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax attributable to their income.

**SECTION 230.** 71.47 (1dm) (j) of the statutes is amended to read:

71.47 (1dm) (j) If a person who is entitled under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, or if a person’s certification under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years, and that person may carry over
no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

**SECTION 231.** 71.47 (1dm) (k) of the statutes is amended to read:

71.47 (1dm) (k) If a person who is entitled under s. 555.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 555.395 (5), 555.398 (3), or 555.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

**SECTION 232.** 71.47 (1dx) (a) 2. of the statutes is amended to read:

71.47 (1dx) (a) 2. “Development zone” means a development zone under s. 555.30 or s. 238.30, 2013 stats., or s. 560.70, 2009 stats., a development opportunity zone under s. 555.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats., or an enterprise development zone under s. 555.397 or s. 238.397, 2013 stats., or s. 560.797, 2009 stats., an agricultural development zone under s. 555.398 or s. 238.398, 2013 stats., or s. 560.798, 2009 stats., or an airport development zone under s. 555.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

**SECTION 233.** 71.47 (1dx) (a) 4. of the statutes is amended to read:

71.47 (1dx) (a) 4. “Full-time job” has the meaning given in s. 238.30. 555.30 (2m).
SECTION 234. 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

71.47 (1dx) (b) Credit. (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., for any taxable year for which the person is entitled under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

SECTION 235. 71.47 (1dx) (b) 2. of the statutes is amended to read:

71.47 (1dx) (b) 2. The amount determined by multiplying the amount determined under s. 555.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1) (b), 2009 stats., by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 236. 71.47 (1dx) (b) 3. of the statutes is amended to read:

71.47 (1dx) (b) 3. The amount determined by multiplying the amount determined under s. 555.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 237. 71.47 (1dx) (b) 4. of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:
71.47 (1dx) (b) 4. The amount determined by multiplying the amount
determined under s. 555.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785
(1) (bm), 2009 stats., by the number of full-time jobs retained, as provided in the
rules under s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., in an
enterprise development zone under s. 555.397 or s. 238.397, 2013 stats., or s.
560.797, 2009 stats., and for which significant capital investment was made and by
then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 238. 71.47 (1dx) (b) 5. of the statutes, as affected by 2015 Wisconsin
Act 55, is amended to read:

71.47 (1dx) (b) 5. The amount determined by multiplying the amount
determined under s. 555.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
(c), 2009 stats., by the number of full-time jobs retained, as provided in the rules
under s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., in a
development zone and not filled by a member of a targeted group and by then
subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 239. 71.47 (1dx) (be) of the statutes is amended to read:

71.47 (1dx) (be) Offset. A claimant in a development zone under s. 555.395 (1)
(e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset any
credits claimed under this subsection, including any credits carried over, against the
amount of the tax otherwise due under this subchapter attributable to all of the
claimant’s income and against the tax attributable to income from directly related
business operations of the claimant.

SECTION 240. 71.47 (1dx) (bg) of the statutes is amended to read:

71.47 (1dx) (bg) Other entities. For claimants in a development zone under s.
555.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats.,
partnerships, limited liability companies, and tax-option corporations may not
claim the credit under this subsection, but the eligibility for, and amount of, that
credit shall be determined on the basis of their economic activity, not that of their
shareholders, partners, or members. The corporation, partnership, or company shall
calculate the amount of the credit that may be claimed by each of its shareholders,
partners, or members and shall provide that information to each of its shareholders,
partners, or members. Partners, members of limited liability companies, and
shareholders of tax-option corporations may claim the credit based on the
partnership's, company's, or corporation's activities in proportion to their ownership
interest and may offset it against the tax attributable to their income.

SECTION 241. 71.47 (1dx) (c) of the statutes is amended to read:

71.47 (1dx) (c) Credit precluded. If the certification of a person for tax benefits
under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013
stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible
for tax benefits under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3),
2009 stats., that person may not claim credits under this subsection for the taxable
year that includes the day on which the certification is revoked; the taxable year that
includes the day on which the person becomes ineligible for tax benefits; or
succeeding taxable years and that person may not carry over unused credits from
previous years to offset tax under this chapter for the taxable year that includes the
day on which certification is revoked; the taxable year that includes the day on which
the person becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 242. 71.47 (1dx) (d) of the statutes is amended to read:
71.47 (1dx) (d) **Carry-over precluded.** If a person who is entitled under s. 555.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 555.365 (3), 555.397 (4), 555.398 (3), or 555.3995 (4) or s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

**SECTION 243.** 71.47 (1dy) (a) of the statutes is amended to read:

71.47 (1dy) (a) **Definition.** In this subsection, “claimant” means a person who files a claim under this subsection and is certified under s. 555.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

**SECTION 244.** 71.47 (1dy) (b) of the statutes is amended to read:

71.47 (1dy) (b) **Filing claims.** Subject to the limitations under this subsection and ss. 555.301 to 555.306 or ss. 238.301 to 238.306, 2013 stats., or s. 560.701 to 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of the tax, the amount authorized for the claimant under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

**SECTION 245.** 71.47 (1dy) (c) 1. of the statutes is amended to read:

71.47 (1dy) (c) 1. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification
under s. 555.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and
a copy of the claimant’s notice of eligibility to receive tax benefits under s. 555.303
(3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

SECTION 246. 71.47 (1dy) (c) 2. of the statutes is amended to read:

71.47 (1dy) (c) 2. Partnerships, limited liability companies, and tax–option
corporations may not claim the credit under this subsection, but the eligibility for,
and the amount of, the credit are based on their authorization to claim tax benefits
under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership,
limited liability company, or tax–option corporation shall compute the amount of
credit that each of its partners, members, or shareholders may claim and shall
provide that information to each of them. Partners, members of limited liability
companies, and shareholders of tax–option corporations may claim the credit in
proportion to their ownership interests.

SECTION 247. 71.47 (1dy) (d) 2. of the statutes is amended to read:

71.47 (1dy) (d) 2. If a claimant's certification is revoked under s. 555.305 or s.
238.305, 2013 stats., or s. 560.705, 2009 stats., or if a claimant becomes ineligible for
tax benefits under s. 555.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the
claimant may not claim credits under this subsection for the taxable year that
includes the day on which the certification is revoked; the taxable year that includes
the day on which the claimant becomes ineligible for tax benefits; or succeeding
taxable years and the claimant may not carry over unused credits from previous
years to offset the tax imposed under s. 71.43 for the taxable year that includes the
day on which certification is revoked; the taxable year that includes the day on which
the claimant becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 248. 71.47 (3g) (a) (intro.) of the statutes is amended to read:
71.47 (3g) (a) (intro.) Subject to the limitations under this subsection and ss. 73.03 (35m) and 555.23 and s. 238.23, 2013 stats., and s. 560.96, 2009 stats., a business that is certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.43 an amount equal to the sum of the following, as established under s. 555.23 (3) (c) or s. 238.23 (3) (c), 2013 stats., or s. 560.96 (3) (c), 2009 stats.:

**SECTION 249.** 71.47 (3g) (b) of the statutes is amended to read:

71.47 (3g) (b) The department of revenue shall notify the department of commerce or the Wisconsin Economic Development Corporation department of economic opportunity of all claims under this subsection.

**SECTION 250.** 71.47 (3g) (e) 2. of the statutes is amended to read:

71.47 (3g) (e) 2. The investments that relate to the amount described under par. (a) 2. for which a claimant makes a claim under this subsection must be retained for use in the technology zone for the period during which the claimant’s business is certified under s. 555.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.

**SECTION 251.** 71.47 (3g) (f) 1. of the statutes is amended to read:

71.47 (3g) (f) 1. A copy of the verification that the claimant’s business is certified under 555.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats., and that the business has entered into an agreement under s. 555.23 (3) (d) or s. 238.23 (3) (d), 2013 stats., or s. 560.96 (3) (d), 2009 stats.

**SECTION 252.** 71.47 (3g) (f) 2. of the statutes is amended to read:

71.47 (3g) (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation or the department of economic opportunity verifying the purchase price of the investment described under par. (a) 2. and verifying that the investment fulfills the requirement under par. (e) 2.
SECTION 253. 71.47 (3q) (a) 1. of the statutes is amended to read:

71.47 (3q) (a) 1. “Claimant” means a person certified to receive tax benefits under s. 555.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

SECTION 254. 71.47 (3q) (a) 2. of the statutes is amended to read:

71.47 (3q) (a) 2. “Eligible employee” means, for taxable years beginning before January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for taxable years beginning after December 31, 2010, an eligible employee under s. 555.16 (1) (b) or s. 238.16 (1) (b), 2013 stats., who satisfies the wage requirements under s. 555.16 (3) (a) or (b) or s. 238.16 (3) (a) or (b), 2013 stats.

SECTION 255. 71.47 (3q) (b) (intro.) of the statutes is amended to read:

71.47 (3q) (b) Filing claims. (intro.) Subject to the limitations provided in this subsection and s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under s. 71.43 any of the following:

SECTION 256. 71.47 (3q) (b) 1. of the statutes is amended to read:

71.47 (3q) (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined under s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats.

SECTION 257. 71.47 (3q) (b) 2. of the statutes is amended to read:

71.47 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable year, as determined under s. 555.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., to undertake the training activities described under s. 555.16 (3) (c) or s. 238.16 (3) (c), 2013 stats., or s. 560.2055 (3) (c), 2009 stats.

SECTION 258. 71.47 (3q) (c) 2. of the statutes is amended to read:
71.47 (3q) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 555.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

SECTION 259. 71.47 (3q) (c) 3. of the statutes is amended to read:

71.47 (3q) (c) 3. The maximum amount of credits that may be awarded under this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January 1, 2010, and ending on June 30, 2013, is $14,500,000, not including the amount of any credits reallocated under s. 555.15 (3) (d) or s. 238.15 (3) (d), 2013 stats., or s. 560.205 (3) (d), 2009 stats.

SECTION 260. 71.47 (3w) (a) 2. of the statutes is amended to read:

71.47 (3w) (a) 2. “Claimant” means a person who is certified to claim tax benefits under s. 555.399 (5) or s. 238.399 (5), 2013 stats., or s. 560.799 (5), 2009 stats., and who files a claim under this subsection.

SECTION 261. 71.47 (3w) (a) 3. of the statutes is amended to read:

71.47 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined in s. 555.399 (1) (am) or s. 238.399 (1) (am), 2013 stats., or s. 560.799 (1) (am), 2009 stats.

SECTION 262. 71.47 (3w) (a) 4. of the statutes is amended to read:

71.47 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 263. 71.47 (3w) (a) 5d. of the statutes is amended to read:

71.47 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or municipality, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.
SECTION 264. 71.47 (3w) (a) 5e. of the statutes is amended to read:

71.47 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or municipality, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

SECTION 265. 71.47 (3w) (b) (intro.) of the statutes is amended to read:

71.47 (3w) (b) Filing claims; payroll. (intro.) Subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount calculated as follows:

SECTION 266. 71.47 (3w) (b) 5. of the statutes is amended to read:

71.47 (3w) (b) 5. Multiply the amount determined under subd. 4. by the percentage determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not to exceed 7 percent.

SECTION 267. 71.47 (3w) (bm) 1. of the statutes is amended to read:

71.47 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to a percentage, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job−related skills of any of the claimant’s full−time employees, to train any of the claimant’s full−time employees on the use of job−related new technologies, or to provide job−related training to any full−time employee whose employment with the claimant represents the employee’s first full−time job. This subdivision does not apply to employees who do not work in an enterprise zone.
SECTION 268. 71.47 (3w) (bm) 2. of the statutes is amended to read:

71.47 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to the percentage, as determined under s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant’s zone payroll paid in the taxable year to all of the claimant’s full-time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than $30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

SECTION 269. 71.47 (3w) (bm) 3. of the statutes is amended to read:

71.47 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.43 up to 10 percent of the claimant’s significant capital expenditures, as determined under s. 555.399 (5m) or s. 238.399 (5m), 2013 stats., or s. 560.799 (5m), 2009 stats.

SECTION 270. 71.47 (3w) (bm) 4. of the statutes is amended to read:
71.47 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s. 555.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.43, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 555.399 (5) (e) or s. 238.399 (5) (e), 2013 stats., or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 271. 71.47 (3w) (c) 3. of the statutes is amended to read:

71.47 (3w) (c) 3. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 555.399 (5) or (5m) or s. 238.399 (5) or (5m), 2013 stats., or s. 560.799 (5) or (5m), 2009 stats.

SECTION 272. 71.47 (3w) (d) of the statutes is amended to read:

71.47 (3w) (d) Administration. Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall include with their returns a copy of their certification for tax benefits, and a copy of the verification of their expenses, from the department of commerce or the Wisconsin Economic Development Corporation or the department of economic opportunity.

SECTION 273. 71.47 (3y) (a) 1. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.47 (3y) (a) 1. “Claimant” means a person certified to receive tax benefits under s. 238.308 555.308.
SENATE BILL 468

SECTION 274. 71.47 (3y) (a) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.47 (3y) (a) 2. “Eligible employee” has the meaning given in s. 238.308 555.308 (1) (a).

SECTION 275. 71.47 (3y) (b) (intro.) of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.47 (3y) (b) Filing claims. (intro.) Subject to the limitations provided in this subsection and s. 238.308 555.308, for taxable years beginning after December 31, 2015, a claimant may claim as a credit against the tax imposed under s. 71.43 all of the following:

SECTION 276. 71.47 (3y) (b) 1. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.47 (3y) (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the Wisconsin Economic Development Corporation department of economic opportunity under s. 238.308 555.308.

SECTION 277. 71.47 (3y) (b) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.47 (3y) (b) 2. In addition to any amount claimed for an eligible employee under subd. 1., the amount of wages that the claimant paid to the eligible employee in the taxable year, not to exceed 5 percent of such wages, if the eligible employee is employed in an economically distressed area, as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 278. 71.47 (3y) (b) 3. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:
71.47 (3y) (b) 3. The amount of training costs that the claimant incurred under s. 238.308 555.308 (4) (a) 3., not to exceed 50 percent of such costs, as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 279. 71.47 (3y) (b) 4. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.47 (3y) (b) 4. The amount of the personal property investment, not to exceed 3 percent of such investment, and the amount of the real property investment, not to exceed 5 percent of such investment, in a capital investment project that satisfies s. 238.308 555.308 (4) (a) 4., as determined by the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 280. 71.47 (3y) (b) 5. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:

71.47 (3y) (b) 5. An amount, as determined by the Wisconsin Economic Development Corporation department of economic opportunity under s. 238.308 555.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant’s location or retention of the claimant’s corporate headquarters in Wisconsin and the job duties associated with the eligible employee’s position involve the performance of corporate headquarters functions.

SECTION 281. 71.47 (3y) (c) 2. of the statutes, as created by 2015 Wisconsin Act 55, is amended to read:
71.47 (3y) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 238.308 555.308.

**SECTION 282.** 71.47 (4) (am) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

71.47 (4) (am) Development zone additional research credit. In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation’s qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that “qualified research expenses” include only expenses incurred by the claimant in a development zone under subch. III of ch. 555 or subch. II of ch. 238, 2013 stats., or subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that “qualified research expenses” does not include research expenses incurred before the claimant is certified for tax benefits under s. 555.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009 stats., or the corporation’s base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 555.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 555.365 (3) or s. 238.365
(3), 2013 stats., or s. 560.765 (3), 2009 stats., and a statement from the department of commerce or the Wisconsin Economic Development Corporation or the department of economic opportunity verifying the claimant’s qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph. No credit may be claimed under this paragraph for taxable years that begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable years that begin before January 1, 1998, may be carried forward to taxable years that begin on January 1, 1998, or thereafter.

**SECTION 283.** 71.47 (5b) (a) 2. of the statutes is amended to read:

71.47 (5b) (a) 2. “Fund manager” means an investment fund manager certified under s. 555.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

**SECTION 284.** 71.47 (5b) (b) 1. of the statutes is amended to read:

71.47 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject to the limitations provided under this subsection and s. 555.15 or s. 238.15, 2013 stats., or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of those taxes, 25 percent of the claimant’s investment paid to a fund manager that the fund manager invests in a business certified under s. 555.15 (1) or s. 238.15 (1), 2013 stats., or s. 560.205 (1), 2009 stats.

**SECTION 285.** 71.47 (5b) (b) 2. of the statutes is amended to read:

71.47 (5b) (b) 2. In the case of a partnership, limited liability company, or tax-option corporation, the computation of the 25 percent limitation under subd. 1. shall be determined at the entity level rather than the claimant level and may be
allocated among the claimants who make investments in the manner set forth in the entity’s organizational documents. The entity shall provide to the department of revenue and to the Wisconsin Economic Development Corporation the names and tax identification numbers of the claimants, the amounts of the credits allocated to the claimants, and the computation of the allocations.

**SECTION 286.** 71.47 (5b) (d) 3. of the statutes is amended to read:

> 71.47 (5b) (d) 3. Except as provided under s. 238.15 555.15 (3) (d) (intro.), for investments made after December 31, 2007, if an investment for which a claimant claims a credit under par. (b) is held by the claimant for less than 3 years, the claimant shall pay to the department, in the manner prescribed by the department, the amount of the credit that the claimant received related to the investment.

**SECTION 287.** 71.47 (6) (c) (intro.) of the statutes is amended to read:

> 71.47 (6) (c) (intro.) No person may claim the credit under par. (a) 2m. unless the claimant includes with the claimant’s return a copy of the claimant’s certification under s. 238.17 555.17. For certification purposes under s. 238.17 555.17, the claimant shall provide to the Wisconsin Economic Development Corporation all of the following:

**SECTION 288.** 71.78 (4) (m) of the statutes is amended to read:

> 71.78 (4) (m) The chief executive officer secretary of the Wisconsin Economic Development Corporation economic opportunity and employees of the corporation department of economic opportunity to the extent necessary to administer the development zone program under subch. II of ch. 238 555.

**SECTION 289.** 73.03 (35) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:
73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dm) or (2dx),
71.28 (1dm), (1dx), or (4) (am), 71.47 (1dm), (1dx), or (4) (am), or 76.636 if granting
the full amount claimed would violate a requirement under s. 555.385 or s. 238.385,
2013 stats., or s. 560.785, 2009 stats., or would bring the total of the credits granted
to that claimant under all of those subsections over the limit for that claimant under
s. 555.368, 555.395 (2) (b), or 555.397 (5) (b) or s. 238.368, 2013 stats., 238.395 (2) (b),
2013 stats., or 238.397 (5) (b), 2013 stats., or s. 560.768, 2009 stats., s. 560.795 (2) (b),
2009 stats., or s. 560.797 (5) (b), 2009 stats.

SECTION 290. 73.03 (35m) of the statutes is amended to read:
73.03 (35m) To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g),
or 71.47 (3g), if granting the full amount claimed would violate a requirement under
s. 555.23 or s. 238.23, 2013 stats., or s. 560.96, 2009 stats., or would bring the total
of the credits claimed under ss. 71.07 (3g), 71.28 (3g), and 71.47 (3g) over the limit
for all claimants under s. 555.23 (2) or s. 238.23 (2), 2013 stats., or s. 560.96 (2), 2009
stats.

SECTION 291. 75.106 (1) (a) of the statutes is amended to read:
75.106 (1) (a) “Brownfield” has the meaning given in s. 238.13 555.13 (1) (a),
except that, for purposes of this section, “brownfield” also means abandoned, idle, or
underused residential facilities or sites, the expansion or redevelopment of which is
adversely affected by actual or perceived environmental contamination.

SECTION 292. 76.636 (1) (b) 1. of the statutes is amended to read:
76.636 (1) (b) 1. A development zone under s. 555.30 or s. 238.30, 2013 stats.,
or s. 560.70, 2009 stats.

SECTION 293. 76.636 (1) (b) 2. of the statutes is amended to read:
76.636 (1) (b) 2. A development opportunity zone under s. 555.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats.

SECTION 294. 76.636 (1) (b) 3. of the statutes is amended to read:
76.636 (1) (b) 3. An enterprise development zone under s. 555.397 or s. 238.397, 2013 stats., or s. 560.797, 2009 stats.

SECTION 295. 76.636 (1) (b) 4. of the statutes is amended to read:
76.636 (1) (b) 4. An agricultural development zone under s. 555.398 or s. 238.398, 2013 stats., or s. 560.798, 2009 stats.

SECTION 296. 76.636 (1) (d) of the statutes is amended to read:
76.636 (1) (d) “Full-time job” has the meaning given in s. 238.30, 555.30 (2m).

SECTION 297. 76.636 (2) (intro.) of the statutes is amended to read:
76.636 (2) CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., for any taxable year for which an insurer is entitled under s. 555.395 or s. 238.395, 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 555.365 (3), 555.397 (4), or 555.398 (3), 2013 stats., or s. 238.365 (3), 2013 stats., or s. 238.397 (4), 2013 stats., or s. 238.398 (3), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., the insurer may claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the following amounts:

SECTION 298. 76.636 (2) (b) of the statutes is amended to read:
76.636 (2) (b) The amount determined by multiplying the amount determined under s. 555.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1) (b), 2009 stats., by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.
SECTION 299. 76.636 (2) (c) of the statutes is amended to read:

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

SECTION 300. 76.636 (2) (d) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

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

SECTION 301. 76.636 (2) (e) of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

76.636 (2) (e) The amount determined by multiplying the amount determined under s. 555.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 555.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

SECTION 302. 76.636 (4) (intro.) of the statutes is amended to read:
76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax
benefits under s. 555.365 (3), 555.397 (4), or 555.398 (3) or s. 238.365 (3), 2013 stats.,
s. 238.397 (4), 2013 stats., or s. 238.398 (3), 2013 stats., or s. 560.765 (3), 2009 stats.,
s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., is revoked, or if the person
becomes ineligible for tax benefits under s. 555.395 (3) or s. 238.395 (3), 2013 stats.,
or s. 560.795 (3), 2009 stats., that person may not do any of the following:

SECTION 303. 76.636 (5) of the statutes is amended to read:

76.636 (5) CARRY-OVER PRECLUDED. If a person who is entitled under s. 555.395
(3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits
or certified under s. 555.365 (3), 555.397 (4), or 555.398 (3) or s. 238.365 (3), 2013
stats., s. 238.397 (4), 2013 stats., or s. 238.398 (3), 2013 stats., or s. 560.765 (3), 2009
stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., for tax benefits ceases
business operations in the development zone during any of the taxable years that
that zone exists, that person may not carry over to any taxable year following the
year during which operations cease any unused credits from the taxable year during
which operations cease or from previous taxable years.

SECTION 304. 76.636 (6) of the statutes is amended to read:

76.636 (6) ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall
include with the insurer's annual return under s. 76.64 a copy of its certification for
tax benefits and a copy of its verification of expenses from the department of
commerce or the Wisconsin Economic Development Corporation or the department
of economic opportunity.

SECTION 305. 76.637 (1) of the statutes is amended to read:

76.637 (1) DEFINITION. In this section, “claimant” means an insurer who files
a claim under this section and is certified under s. 555.301 (2) or s. 238.301 (2), 2013
SENATE BILL 468

SECTION 305

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

SECTION 306. 76.637 (2) of the statutes is amended to read:

76.637 (2) FILING CLAIMS. Subject to the limitations under this section, ss. 555.301 to 555.306, ss. 238.301 to 238.306, 2013 stats., and ss. 560.701 to 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the amount authorized for the claimant under s. 555.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

SECTION 307. 76.637 (3) of the statutes is amended to read:

76.637 (3) LIMITATIONS. No credit may be allowed under this section unless the insurer includes with the insurer’s annual return under s. 76.64 a copy of the claimant’s certification under s. 555.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice of eligibility to receive tax benefits under s. 555.303 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

SECTION 308. 76.637 (4) of the statutes is amended to read:

76.637 (4) ADMINISTRATION. If an insurer’s certification is revoked under s. 555.305 or s. 238.305, 2013 stats., or s. 560.705, 2009 stats., or if an insurer becomes ineligible for tax benefits under s. 555.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the insurer may not claim credits under this section for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the insurer becomes ineligible for tax benefits; or succeeding taxable years and the insurer may not carry over unused credits from previous years to offset the fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67 for the taxable year that includes the day on which certification is revoked; the
Section 308. The taxable year that includes the day on which the insurer becomes ineligible for tax benefits; or succeeding taxable years.

Section 309. 76.638 (1) of the statutes is amended to read:

76.638 (1) Definitions. In this section, “fund manager” means an investment fund manager certified under s. 555.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

Section 310. 76.638 (2) of the statutes is amended to read:

76.638 (2) Filing Claims. For taxable years beginning after December 31, 2008, subject to the limitations provided under this subsection and s. 555.15 or s. 238.15, 2013 stats., or s. 560.205, 2009 stats., an insurer may claim as a credit against the fees imposed under s. 76.60, 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer’s investment paid to a fund manager that the fund manager invests in a business certified under s. 555.15 or s. 238.15, 2013 stats., or s. 560.205 (1), 2009 stats.

Section 311. 77.54 (9a) (a) of the statutes is amended to read:

77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, the Wisconsin Economic Development Corporation, and the Fox River Navigational System Authority.

Section 312. 79.04 (7) (a) of the statutes is amended to read:

79.04 (7) (a) Beginning with payments in 2005, if a production plant, as described in sub. (6) (a), other than a nuclear-powered production plant, is built on the site of, or on a site adjacent to, an existing or decommissioned production plant; or is built on a site purchased by a public utility before January 1, 1980, that was identified in an advance plan as a proposed site for a production plant; or is built on, or on a site adjacent to, brownfields, as defined in s. 238.13 555.13 (1) (a) or s. 560.13
(1) (a), 2009 stats., after December 31, 2003, and has a name-plate capacity of at
least one megawatt, each municipality and county in which such a production plant
is located shall receive annually from the public utility account a payment in an
amount that is equal to the number of megawatts that represents the production
plant’s name-plate capacity, multiplied by $600.

SECTION 313. 84.01 (6m) (b) (intro.) of the statutes is amended to read:
84.01 (6m) (b) (intro.) The department, in consultation with the Wisconsin
Economic Development Corporation department of economic opportunity, shall do
all of the following for each economic development program administered by the
department:

SECTION 314. 84.01 (11m) (a) of the statutes is amended to read:
84.01 (11m) (a) The department shall coordinate any economic development
assistance with the Wisconsin Economic Development Corporation department of
economic opportunity.

SECTION 315. 84.01 (11m) (b) of the statutes is amended to read:
84.01 (11m) (b) Annually, no later than October 1, the department shall submit
to the joint legislative audit committee and to the appropriate standing committees
of the legislature under s. 13.172 (3) a comprehensive report assessing economic
development programs, as defined in sub. (6m) (a), administered by the department.
The report shall include all of the information required under s. 238.07 555.07 (2).
The department shall collaborate with the Wisconsin Economic Development
Corporation department of economic opportunity to make readily accessible to the
public on an Internet-based system the information required under this subsection.

SECTION 316. 93.07 (3) of the statutes is amended to read:
93.07 (3) Promotion of Agriculture. To promote the interests of agriculture, dairying, horticulture, manufacturing, commercial fishing and the domestic arts and to advertise Wisconsin and its dairy, food, and agricultural products by conducting campaigns of education throughout the United States and in foreign markets. Such campaigns shall include the distribution of educational and advertising material concerning Wisconsin and its plant, animal, food, and dairy products. The department shall coordinate efforts by the state to advertise and promote agricultural products of this state, with the Wisconsin Economic Development Corporation where appropriate. The department shall submit its request and plan for market development program expenditures for each biennium with its biennial budget request. The plan shall include the identification and priority of expenditures for each market development program activity.

SECTION 317. 93.07 (18) (b) (intro.) of the statutes is amended to read:

93.07 (18) (b) (intro.) In consultation with the Wisconsin Economic Development Corporation, to do all of the following for each economic development program administered by the department of agriculture, trade and consumer protection:

SECTION 318. 93.07 (20) (a) of the statutes is amended to read:

93.07 (20) (a) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 319. 93.07 (20) (b) of the statutes is amended to read:

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

**SECTION 320.** 93.33 (5) (intro.) of the statutes is amended to read:

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

**SECTION 321.** 93.42 (5) of the statutes is amended to read:

93.42 (5) Cooperating with the Wisconsin Economic Development Corporation
department of economic opportunity in promoting the state’s products through the
state’s foreign trade offices.

**SECTION 322.** 100.45 (1) (dm) of the statutes is amended to read:
100.45 (1) (dm) “State agency” means any office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including the legislature and the courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities Authority, the Wisconsin Aerospace Authority, the Wisconsin Economic Development Corporation, and the Fox River Navigational System Authority.

SECTION 323. 106.16 (3) of the statutes is amended to read:

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

SECTION 324. 106.27 (2m) of the statutes is amended to read:

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

SECTION 325. 114.31 (6) of the statutes is amended to read:

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

**SECTION 326.** 196.49 (4) of the statutes is amended to read:

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

**SECTION 327.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

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

**SECTION 328.** 196.491 (3) (d) 8. of the statutes is amended to read:

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

**SECTION 329.** 230.03 (3) of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read:

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

**SECTION 330.** 230.81 (2) of the statutes is amended to read:

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

**SECTION 331.** 230.81 (4) of the statutes is created to read:

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

**SECTION 332.** 234.02 (1) of the statutes is amended to read:

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

**SECTION 333.** 234.032 (2) (intro.) of the statutes is amended to read:

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

**SECTION 334.** 234.08 (5) of the statutes is amended to read:

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

**SECTION 335.** 234.08 (6) of the statutes is amended to read:

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

**SECTION 336.** 234.255 (1) of the statutes is amended to read:
234.255 (1) The authority shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 337. 234.255 (2) of the statutes is amended to read:

234.255 (2) Annually, no later than October 1, the authority shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in s. 234.032 (1), administered by the authority. The report shall include all of the information required under s. 238.07 555.07 (2). The authority shall collaborate with the Wisconsin Economic Development Corporation department of economic opportunity to make readily accessible to the public on an Internet-based system the information required under this section.

SECTION 338. 234.84 (1) of the statutes is amended to read:

234.84 (1) Definition. In this section, “corporation” “department” means the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 339. 234.84 (3) (c) of the statutes is amended to read:

234.84 (3) (c) The interest rate on the loan, including any origination fees or other charges, is approved by the corporation department.

SECTION 340. 234.84 (4) (a) of the statutes is amended to read:

234.84 (4) (a) Subject to par. (b), the authority shall guarantee collection of a percentage of the principal of, and all interest and any other amounts outstanding on, any loan eligible for a guarantee under sub. (2). The corporation department shall establish the percentage of the principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under s. 234.932 (3) (a). The corporation department may establish a single percentage for all
guaranteed loans or establish different percentages for eligible loans on an individual basis.

SECTION 341. 234.84 (5) (a) of the statutes is amended to read:

234.84 (5) (a) The program under this section shall be administered by the corporation department with the cooperation of the authority. The corporation department shall enter into a memorandum of understanding with the authority setting forth the respective responsibilities of the corporation department and the authority with regard to the administration of the program, including the functions and responsibilities specified in s. 234.932. The memorandum of understanding shall provide for reimbursement to the corporation department by the authority for costs incurred by the corporation department in the administration of the program.

SECTION 342. 234.84 (5) (b) of the statutes is amended to read:

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

SECTION 343. 234.932 (3) (c) of the statutes is amended to read:

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

SECTION 344. Chapter 238 (title) of the statutes is repealed.

SECTION 345. Subchapter I (title) of chapter 238 [precedes 238.01] of the statutes is renumbered Subchapter I (title) of chapter 555 [precedes 555.01].

SECTION 346. 238.01 (intro.) of the statutes is renumbered 555.01 (intro.).
**SECTION 347.** 238.01 (1) of the statutes is repealed.

**SECTION 348.** 238.01 (2) of the statutes is repealed.

**SECTION 349.** 238.01 (3) of the statutes is renumbered 555.01 (2).

**SECTION 350.** 238.02 of the statutes, as affected by 2015 Wisconsin Act 55, is repealed.

**SECTION 351.** 238.03 (title) and (1) to (3) of the statutes are renumbered 555.03 (title) and (1) to (3), and 555.03 (title), (1), (2) (intro.) and (c) and (3) (intro.), (a) and (b) (intro.), as renumbered, are amended to read:

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

(1) The board department shall develop and implement economic programs to promote family–supporting jobs, to provide business support and expertise and financial assistance to companies that are investing and creating jobs in Wisconsin, and to support new business start–ups and business expansion and growth in Wisconsin. The board department may also develop and implement any other programs related to economic development in Wisconsin. The department shall emphasize programs that encourage entrepreneurship, new business start–ups, and woman–owned, disabled–veteran owned, and minority businesses.

(2) (intro.) For each program developed and implemented by the board department, the board department shall do all of the following:

(c) Require that each recipient of a grant or loan under the program submit a report to the corporation department. Each contract with a recipient of a grant or loan under the program must specify the frequency and format of the report to be submitted to the corporation department and the performance measures to be included in the report.
(3) (intro.) The board department shall require for each program developed and implemented by the board department all of the following:

(a) That each recipient of a grant or loan under the program of at least $100,000 submit to the corporation department, within 120 days after the end of the recipient’s fiscal year in which any grant or loan funds were expended, a schedule of expenditures of the grant or loan funds, including expenditures of any matching cash or in-kind match, signed by the director or principal officer of the recipient to attest to the accuracy of the schedule of expenditures. The recipient shall engage an independent certified public accountant to perform procedures, approved by the corporation department and consistent with applicable professional standards of the American Institute of Certified Public Accountants, to determine whether the grant or loan funds and any matching cash or in-kind match were expended in accordance with the grant or loan contract. The board department shall also require the recipient of such a grant or loan to make available for inspection the documents supporting the schedule of expenditures. The board department shall include the requirements under this paragraph in the contract with grant or loan recipients.

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

SECTION 352. 238.03 (4) of the statutes, as created by 2015 Wisconsin Act 55, is repealed.

SECTION 353. 238.04 of the statutes is repealed.

SECTION 354. 238.045 of the statutes is repealed.
SECTION 355. 238.046 of the statutes is repealed.

SECTION 356. 238.05 of the statutes is repealed.

SECTION 357. 238.06 of the statutes is repealed.

SECTION 358. 238.07 (1) of the statutes is renumbered 555.07 (1) and amended to read:

555.07 (1) Annually, by January 1, the board department shall submit to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report identifying the economic development projects that the board department intends to develop and implement during the current calendar year.

SECTION 359. 238.07 (2) of the statutes is renumbered 555.07 (2), and 555.07 (2) (intro.), (ag) and (ar), as renumbered, are amended to read:

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

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

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

SECTION 360. 238.07 (3) of the statutes is renumbered 555.07 (3) and amended to read:
555.07 (3) The board department shall make readily accessible to the public on an Internet-based system Internet site the information required under sub. (2). The department’s Internet site shall also contain the department’s job creation and retention goals; all amendments to contracts executed under an economic development program of the department; and all agendas, meeting minutes, and materials discussed for meetings of the economic development policy board and the board of directors of the Badger Innovation Corporation.

SECTION 361. 238.07 (4) of the statutes is repealed.

SECTION 362. 238.08 of the statutes is repealed.

SECTION 363. 238.09 of the statutes is repealed.

SECTION 364. 238.10 of the statutes is renumbered 555.10 and amended to read:

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

(2) Amendment to Allocation. At any time prior to December 31 in any year, the corporation department may adopt rules to revise the allocation system established for that year under sub. (1), except that any revision under this subsection does not apply to any allocation under which the recipient of that allocation has adopted a resolution authorizing the issuance of a private activity bond, as defined in 26 USC 141 (a).
(3) CONDITIONS. The corporation department may establish any procedure for, and place any condition upon, the granting of an allocation under this section which the corporation department deems to be in the best interest of the state including a requirement that a cash deposit, at a rate established by the corporation department, be a condition for an allocation.

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

SECTION 365. 238.11 of the statutes is renumbered 555.11 and amended to read:

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

(2) If the corporation department receives a notice under s. 66.1103 (4m) (a), the corporation department shall estimate, no later than 20 days after receipt of the notice, whether the project that is the subject of the notice is expected to eliminate, create, or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.
(5) The corporation department shall issue an estimate made under sub. (2) to the city, village, town, or county which will issue the bonds to finance the project which is the subject of the estimate.

**SECTION 366.** 238.115 of the statutes, as created by 2015 Wisconsin Act 55, is renumbered 555.115, and 555.115 (1) (intro.), (a), (b), (e) and (g), (2) and (3), as renumbered, are amended to read:

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

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

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

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

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

(2) Each person the corporation department certifies for tax credits under this chapter shall provide all information necessary for the corporation department to comply with the reporting requirements under sub. (1).
(3) The department of revenue shall track the amount of all tax credits administered by the corporation department under this chapter that have been claimed or used to offset tax liability and the amount of all available unused tax credits under this chapter.

SECTION 367. 238.12 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.12 and amended to read:

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

(b) “Tax benefits” means the credits under ss. 71.07 (2dm), (2dx), (3g), and (3t), 71.28 (1dm), (1dx), (3g), and (3t), 71.47 (1dm), (1dx), (3g), and (3t), and 76.636.

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

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

SECTION 368. 238.123 of the statutes, as created by 2015 Wisconsin Act 55, is repealed.

SECTION 369. 238.125 of the statutes is renumbered 555.125 and amended to read:

555.125 Notification of position openings; compliance. The corporation department shall monitor compliance with the position-opening notification requirements under ss. 66.1103 (6m) and 106.16.
SECTION 370. 238.127 of the statutes is renumbered 555.127, and 555.127 (2)
(intro.), (c) (intro.), (e), (h) and (j), as renumbered, are amended to read:

555.127 (2) (intro.) The corporation department shall establish and administer
a state main street program to coordinate state and local participation in programs
offered by the national main street center, created by the national trust for historic
preservation, to assist municipalities in planning, managing and implementing
programs for the revitalization of business areas. The corporation department shall
do all of the following:

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

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

(h) Provide training, technical assistance and information on the revitalization
of business areas to municipalities which do not participate in the state main street
program. The corporation department may charge reasonable fees for the services
and information provided under this paragraph.
(j) The corporation department shall expend at least $250,000 annually on the state main street program.

SECTION 371. 238.13 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.13, and 555.13 (2) (a) (intro.), (3) (intro.) and (f) and (5), as renumbered, are amended to read:

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

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

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

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

SECTION 372. 238.133 of the statutes is renumbered 555.133, and 555.133 (2) (title), (a), (b), (c) and (d), (3) (intro.), (4), (5) (intro.) and (c) and (7), as renumbered, are amended to read:

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

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

(b) The corporation department may not award a grant to a local governmental unit under this section if that local governmental unit caused the environmental contamination that is the basis for the grant request.
(c) The corporation department may only award grants under this section if the person that caused the environmental contamination that is the basis for the grant request is unknown, cannot be located or is financially unable to pay the cost of the eligible activities.

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

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

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

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

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

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

SECTION 373. 238.135 of the statutes is renumbered 555.135 and amended to read:

555.135 Grants to regional economic development organizations. The corporation department shall award annual grants to regional economic development organizations to fund marketing activities. The amount of each grant
may not exceed $100,000 or the amount of matching funds the organization obtains from sources other than the corporation or the state, whichever is less.

**SECTION 374.** 238.14 of the statutes, as created by 2015 Wisconsin Act 55, is renumbered 555.14 and amended to read:

**555.14 St. Croix Valley Business Incubator.** From the appropriation under s. 20.192 20.143 (1) (a), the corporation department shall make a grant of $250,000 to the River Falls Economic Development Corporation to construct the St. Croix Valley Business Incubator. The corporation department may award the grant under this section only if federal moneys are secured for the same purpose.

**SECTION 375.** 238.145 of the statutes, as created by 2015 Wisconsin Act 55, is renumbered 555.145, and 555.145 (1) (a), (2) (a), (b) and (c), (3) (a) and (b), (5) (a) and (b) (intro.), 1., 2. and 3. and (6), as renumbered, are amended to read:

555.145 (1) (a) “Eligible recipient” means a person the corporation department certifies under sub. (2) (b) as eligible to receive grants under this section.

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

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

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

(3) (a) From the appropriation under s. 20.192 20.143 (1) (a), the corporation department may award up to a total of $500,000 in grants to eligible recipients.
(b) The corporation department may not award grants totaling more than $75,000 to each eligible recipient, and the corporation department may not award a grant of more than $25,000 to an eligible recipient in any year.

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

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

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

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

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

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

SECTION 376. 238.15 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.15, and 555.15 (1) (intro.) and (m) 1. (intro.) and c. and 3., (2) and (3) (a), (d) (intro.), 1. and 2. a. and b., (dm), (e) and (f) 1., as renumbered, are amended to read:

555.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The corporation department shall implement a program to certify businesses for purposes of s. 71.07 (5d). A business desiring certification shall submit an application to the corporation
department in each taxable year for which the business desires certification. The business shall specify in its application the investment amount it wishes to raise and the corporation department may certify the business and determine the amount that qualifies for purposes of s. 71.07 (5d). The corporation department may certify or recertify a business for purposes of s. 71.07 (5d) only if the business satisfies all of the following conditions:

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

c. The activities of the business’s headquarters, as determined by the corporation department.

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

(2) Early stage seed investment tax credits. The corporation department shall implement a program to certify investment fund managers for purposes of ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring certification shall submit an application to the corporation department. The investment fund manager shall specify in the application the investment amount that the manager wishes to raise and the corporation department may certify the
manager and determine the amount that qualifies for purposes of ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment fund manager, the corporation department shall consider the investment fund manager’s experience in managing venture capital funds, the past performance of investment funds managed by the applicant, the expected level of investment in the investment fund to be managed by the applicant, and any other relevant factors. The corporation department may certify only investment fund managers that commit to consider placing investments in businesses certified under sub. (1).

(3) (a) List of certified businesses and investment fund managers. The corporation department shall maintain a list of businesses certified under sub. (1) and investment fund managers certified under sub. (2) and shall permit public access to the lists through the corporation’s department’s Internet Web site.

(d) Administration. (intro.) The corporation department, in consultation with the department of revenue, shall establish policies and procedures to administer this section and shall further define “bona fide angel investment” for purposes of s. 71.07 (5d) (a) 1. The aggregate amount of tax credits under s. 71.07 (5d) that may be claimed for investments in businesses certified under sub. (1) and of tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) is $30,000,000 per calendar year. The policies and procedures rules shall provide that a person who receives a credit under s. 71.07 (5b) or (5d), 71.28 (5b), 71.47 (5b), or 76.638 must keep the investment in a certified business, or with a certified fund manager, for no less than 3 years, unless the person’s investment becomes worthless, as determined by the corporation department, during the 3-year period or the person has kept the investment for no less than 12 months and a bona fide liquidity event,
as determined by the corporation department, occurs during the 3-year period. The policies and procedures rules shall permit the corporation department to reallocate credits under this section in any calendar year that are unused in that calendar year to a person eligible for tax benefits, as defined under s. 238.30 555.30 (7) (e), if all of the following apply:

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

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

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

   (dm) The corporation’s policies and procedures department’s rules under this subsection shall provide that a business is considered to have not relocated outside of this state under sub. (1) (m) 1., regardless of whether the business satisfies sub. (1) (m) 1. a. and b., if the corporation department determines that the business’s investment and employment levels in this state have not diminished.

   (e) Transfer: A person who is eligible to claim a credit under s. 71.07 (5b), 71.28 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III of ch. 76, if the person receives prior authorization from the investment fund manager and the manager then notifies the corporation department and the department of revenue of the transfer and submits with the notification a copy of the transfer documents. No person may sell or otherwise transfer a credit as provided
in this paragraph more than once in a 12-month period. The corporation department may charge any person selling or otherwise transferring a credit under this paragraph a fee of up to 5 percent of the credit amount sold or transferred.

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

SECTION 377. 238.16 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.16, and 555.16 (1) (c) 2. (intro.), (2) (intro.) and (b), (3), (4) (b) 1. (intro.) and 2. and (c), (5) (title), (c), (e) and (f) (intro.) and 1. (intro.) and (6), as renumbered, are amended to read:

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

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

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

(3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub. (2) may receive tax benefits under this section if, in each year for which the person claims tax benefits under this section, the person increases net employment in this state in the person’s business above the net employment in this state in the person’s business during the year before the person was certified under sub. (2), as determined by the corporation department under its policies and procedures rules, and one of the following applies:
(4) (b) 1. (intro.) The corporation department may award to a person certified under sub. (2) tax benefits for each eligible employee in an amount equal to up to 10 percent of the wages paid by the person to that employee or $10,000, whichever is less, if that employee earned wages in the year for which the tax benefit is claimed equal to one of the following:

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

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

(5) (title) DUTIES OF THE CORPORATION DEPARTMENT

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

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

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

1. (intro.) The definitions of a tier I county or municipality and a tier II county or municipality. The corporation department may consider all of the following information when establishing the definitions required under this subdivision:
(6) SUNSET. No tax benefits may be awarded under this section after December 31, 2015, unless the tax benefits were allocated to a taxpayer by the corporation Wisconsin Economic Development Corporation under s. 238.16, 2013 stats., in a contract that the corporation Wisconsin Economic Development Corporation executed before that date or in a letter of intent to enter into such a contract that the corporation issued before that date.

SECTION 378. 238.17 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.17 and amended to read:

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

SECTION 379. 238.23 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.23, and 555.23 (2) (a) and (b), (3) (a) (intro.), (b) (intro.), (c) and (d), (4) (a) (intro.) and (b) and (5) (intro.), (e) and (g), as renumbered, are amended to read:

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

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

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

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

(c) When the corporation department certifies a business under this subsection, the corporation department shall establish a limit on the amount of tax
credits that the business may claim. Unless its certification is revoked, and subject
to the limit on the tax credit amount established by the corporation department
under this paragraph, a business that is certified may claim a tax credit for 3 years,
except that a business that experiences growth, as determined for that business by
the corporation department under par. (d) and sub. (5) (e), may claim a tax credit for
up to 5 years.

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

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

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

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

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

(g) The exchange of information between the corporation department and the department of revenue.

SECTION 380. 238.25 of the statutes is renumbered 555.25 and amended to read:

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

SECTION 381. 238.26 of the statutes is renumbered 555.26 and amended to read:
**555.26 Report to investment board.** No later than September 30 of each even-numbered year, the corporation department shall submit to the investment board a report describing the types of investments in businesses in this state that will have the greatest likelihood of enhancing economic development in this state.

**SECTION 382.** Subchapter II (title) of chapter 238 [precedes 238.30] of the statutes is renumbered Subchapter II (title) of chapter 555 [precedes 555.30].

**SECTION 383.** 238.30 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.30, and 555.30 (intro.), (2g), (2m) (b) (intro.) and (7) (b) 1. and 2., (c), (d) and (e), as renumbered, are amended to read:

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

1. **(2g)** “Eligible activity” means an activity described under s. 238.302 555.302.

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

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

4. **2.** With respect to the development opportunity zones under s. 238.395 555.395 (1) (g), (h), and (i), “tax benefits” means the development zone credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).
(c) In s. 238.398 555.398, “tax benefits” means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

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

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

SECTION 384. 238.301 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.301, and 555.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are amended to read:

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

(e) Other information required by the corporation department or the department of revenue.

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

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

(3) CONTRACT. (intro.) A person certified under this section shall enter into a written contract with the corporation department. The contract shall include provisions that detail all of the following:
(b) Whether any of the eligible activities will occur in an economically distressed area, as designated by the corporation department under s. 238.304 555.304 (1).

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

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

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

SECTION 385. 238.302 of the statutes is renumbered 555.302, and 555.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

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

(1) Job Creation Project. A project that creates and maintains for a period of time established by the corporation department by rule full-time jobs in addition to any existing full-time jobs provided by the person.

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

(3) Employee Training Project. A project that involves significant investments in the training or reeducation of employees, as defined by the corporation department by rule under s. 238.306 555.306 (2) (c), by the person for the purpose of improving the productivity or competitiveness of the business of the person.
SECTION 386. 238.303 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.303, and 555.303 (1) (a), (am) and (b), (2), (3) and (4), as renumbered, are amended to read:

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

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

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

(2) Authority to claim tax benefits. The corporation department may authorize a person certified under s. 238.301 555.301 (2) to claim tax benefits only after the person has submitted a report to the corporation department that documents to the satisfaction of the corporation department that the person has complied with the terms of the contract under s. 238.301 555.301 (3) and the requirements of any applicable rules adopted under s. 238.306 555.306 (2).

(3) Notice of eligibility. The corporation department shall provide to the person a notice of eligibility to receive tax benefits that reports the amount of tax benefits for which the person is eligible.

(4) Sunset. No tax benefits may be awarded under ss. 238.301 555.301 to 238.306 555.306 after December 31, 2015, unless the tax benefits were allocated to a taxpayer by the corporation Wisconsin Economic Development Corporation under ss. 238.301 to 238.306, 2013 stats., in a contract that the corporation Wisconsin Economic Development Corporation executed before that date or in a letter of intent to enter into such a contract that the corporation Wisconsin Economic Development Corporation issued before that date.

Section 387. 238.304 of the statutes is renumbered 555.304, and 555.304 (intro.) and (1), as renumbered, are amended to read:

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

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

SECTION 388. 238.3045 of the statutes, as affected by 2015 Wisconsin Act 55,
is renumbered 555.3045, and 555.3045 (1) (title), (a), (b) (intro.) and 4. and (c) 1., (2)
(a), (3) and (4) (a) and (b), as renumbered, are amended to read:

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

(b) (intro.) The corporation department may approve the transfer of tax
benefits under this section if the corporation department certifies the applicant
under par. (a) for tax benefits under s. 238.301 555.301 and finds that the applicant
meets at least one of the following conditions:
4. Intends to expand its operations in this state, and that expansion will result in the applicant making a significant capital investment in property located in this state, as determined by the corporation department.

    (c) 1. Subject to subd. 2., a person that receives an approval under par. (b) shall transfer tax benefits in accordance with the terms of the application under par. (a) after the corporation department authorizes the person to claim tax benefits under s. 238.303 555.303 (2) and provides the notice of eligibility under s. 238.303 555.303 (3). The notice of eligibility shall contain all relevant information concerning a transfer of tax benefits under this section. The person to whom tax benefits are transferred may carry forward, beginning on the date of the notice of eligibility, any unused amount of the value of those tax benefits as provided under the appropriate provision in ch. 71 or in s. 76.636.

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

    (3) Annual report. Annually, the corporation department shall submit a report to the joint committee on finance that provides a detailed assessment of the progress to date of the program under this section.

    (4) (a) Except as provided in par. (b), the corporation department may not authorize the transfer of tax benefits under this section that total more than $15,000,000, and the corporation department may not authorize the transfer of tax benefits after 36 months after April 4, 2014.
(b) Upon expiration of the 36-month period under par. (a), the corporation department may continue to authorize the transfer of tax benefits under this section for up to an additional 36 months, and the corporation department may authorize the transfer of up to an additional $15,000,000 in tax benefits, if the corporation department determines that a continuation of the program under this section will promote significant economic development in this state. Before the corporation department authorizes the transfer of tax benefits under this paragraph, the chief executive officer of the corporation secretary shall notify the joint committee on finance in writing that the corporation department intends to continue authorizing the transfer of tax benefits under this section. That notice shall state the reasons supporting the corporation's department's determination that the transfer of additional tax benefits will promote significant economic development in this state. If, within 14 working days after the date of that notice, the cochairpersons of the committee do not notify the corporation department that the committee has scheduled a meeting to review the corporation's department's proposed continuation of the program, the corporation department may proceed to authorize the transfer of additional tax benefits under this section. If, within 14 working days after the date of that notice, the cochairpersons of the committee notify the corporation department that the committee has scheduled a meeting to review the proposed continuation of the program, the corporation department may proceed to authorize the transfer of additional tax benefits only upon approval of the committee.

SECTION 389. 238.305 of the statutes is renumbered 555.305, and 555.305 (intro.), (1) and (2), as renumbered, are amended to read:

555.305 Revocation of certification. (intro.) The corporation department shall revoke the certification of a person who does any of the following:
SENATE BILL 468

(1) Supplies false or misleading information to obtain certification under s. 238.301 555.301 (2).

(2) Supplies false or misleading information to obtain tax benefits under s. 238.303 555.303.

SECTION 390. 238.306 of the statutes is renumbered 555.306, and 555.306 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k) and (3), as renumbered, are amended to read:

555.306 Responsibilities of the corporation department. (intro.) The corporation department shall do all of the following:

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

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

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

(b) A definition of “significant investment of capital” for purposes of s. 238.302 555.302 (2), together with a corresponding schedule of tax benefits for which a person who is certified under s. 238.301 555.301 (2) and who conducts a project described in s. 238.302 555.302 (2) may be eligible. The corporation department shall include in the definition required under this paragraph a schedule of investments that takes into consideration the size or nature of the business.
(c) A definition of “significant investments in the training or reeducation of employees” for purposes of s. 238.302 555.302 (3), together with a corresponding schedule of tax benefits for which a person who is certified under s. 238.301 555.301 (2) and who conducts a project under s. 238.302 555.302 (3) may be eligible.

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

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

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

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

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

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

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

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

SECTION 391. 238.308 of the statutes, as created by 2015 Wisconsin Act 55, is renumbered 555.308, and 555.308 (2) (a) (intro.) and 2., (3), (4) (a) (intro.), 2. and 5. and (b) and (5) (a), (b) and (c), as renumbered, are amended to read:

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

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

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

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

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

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

(b) Subject to a reallocation by the corporation department under s. 238.15 555.15 (3) (d), the corporation department may allocate up to $17,000,000 in tax benefits under this section in 2016 and up to $22,000,000 per year thereafter. Any unused allocation may be carried forward.

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

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

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

SECTION 392. 238.31 of the statutes is renumbered 555.31, and 555.31 (1) (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a. and d., (1m) (intro.) and (h), (2) and (3) (intro.), as renumbered, are amended to read:

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

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

(am) A local governing body nominates the area as described in s. 238.32 555.32.
(b) The corporation department has evaluated the local governing body’s application as described in s. 238.325 555.325.

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

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

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

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

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

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

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

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

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

   **SECTION 393.** 238.315 of the statutes is renumbered 555.315 and amended to read:

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

**SECTION 394.** 238.32 of the statutes is renumbered 555.32, and 555.32 (1) (intro.), (2) (intro.), (c), (d) and (i), (3) and (5), as renumbered, are amended to read:

555.32 (1) (intro.) A local governing body may nominate an area as a development zone, if the **corporation department** has invited the governing body to nominate the area under s. 238.315 555.315 and if the governing body does all of the following:

(2) (intro.) A local governing body may nominate the area as a development zone by submitting an application to the **corporation department** in a form prescribed by the **corporation department**. The application shall include all of the following:

(c) Evidence that the area meets at least 3 of the criteria under s. 238.31 555.31 (1) (e) 4.

(d) Evidence that the area meets the applicable requirements of s. 238.335 555.335.

(i) Any other information required by the **corporation department**.

(3) Two or more local governing bodies may submit a joint application nominating an area as a development zone, subject to s. 238.335 555.335 (2), if each local governing body complies with subs. (1) and (2).

(5) The **corporation department** may permit a local governing body to revise an application that the **corporation department** determines is inadequate or incomplete.

**SECTION 395.** 238.325 of the statutes is renumbered 555.325 and amended to read:
555.325  (title) Evaluation by corporation department.  (1) The corporation department shall evaluate applications received under s. 238.32 555.32 (2) and (3).

(2) Subject to s. 238.335 555.335 (5), the corporation department may reduce the size of an area nominated as a development zone, if the corporation department determines the boundaries as proposed by the local governing body in an application under s. 238.32 555.32 (2) or (3) are inconsistent with the purpose of the development zone program. Any nominated area which is reduced under this subsection need not comply with s. 238.335 555.335 (1) and (4).

(3) After evaluating an application submitted under s. 238.32 555.32 (2) or (3), the corporation department may approve the application, subject to any reduction in the size of the nominated area under sub. (2). If the corporation department approves the application, the corporation department shall designate the area as a development zone, subject to s. 238.31 555.31, and notify the local governing body.

Section 396. 238.335 of the statutes is renumbered 555.335, and 555.335 (6) (a) 2. and (c) and (7), as renumbered, are amended to read:

555.335 (6) (a) 2. Each area meets at least 3 of the criteria listed in s. 238.31 555.31 (1) (e) 4.

(c) If an application is submitted by the governing body of a county under s. 238.32 555.32 (2) or (3), up to 4 separate areas may be nominated or designated as one development zone, if par. (a) 1. to 3. applies.

(7) The corporation department may waive the requirements of this section in a particular case, if the corporation department determines that application of the requirement is impractical with respect to a particular development zone.
**SECTION 397.** 238.34 of the statutes is renumbered 555.34, and 555.34 (1), (2), (3) (intro.) and (a), (4), (5) and (6), as renumbered, are amended to read:

555.34 (1) Except as provided under sub. (6), at any time after a development zone is designated by the corporation department, a local governing body may submit an application to change the boundaries of the development zone. If the boundary change reduces the size of a development zone, the local governing body shall explain why the area excluded should no longer be in a development zone. The corporation department may require the local governing body to submit additional information.

(2) The corporation department may approve an application for a boundary change if the development zone, as affected by the boundary changes, meets the applicable requirements of s. 238.335 555.335 and 3 of the criteria under s. 238.31 555.31 (1) (e) 4.

(3) (intro.) If the corporation department approves an application for a boundary change under sub. (2), it shall do all of the following:

(a) Redetermine the limit on the tax benefits for the development zone established under s. 238.345 555.345 (2) (a).

(4) The change in the boundaries or tax benefits limit of a development zone shall be effective on the day the corporation department notifies the local governing body under sub. (3) (b).

(5) No change in the boundaries of a development zone may affect the duration of an area as a development zone under s. 238.345 555.345 (1) (a). The corporation department may consider a change in the boundary of a development zone when evaluating an application for an extension of the designation of an area as a development zone under s. 238.345 555.345 (1) (b).
(6) The corporation department may not accept any applications under sub. (1)
to change the boundaries of a development zone designated under s. 238.31 555.31
on or after March 6, 2009.

SECTION 398. 238.345 of the statutes is renumbered 555.345, and 555.345 (1)
(a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3) (intro.), (a) and (b), as
renumbered, are amended to read:

555.345 (1) (a) The designation of an area as a development zone shall be
effective for 240 months, beginning on the day the corporation department notifies
the local governing body under s. 238.325 555.325 (3) of the designation.

(b) The local governing body may apply to the corporation department for one
60-month extension of the designation. The corporation department shall adopt
rules establishing criteria for approving an extension of a designation of an area as
a development zone under this subsection. No applications may be accepted by the
corporation department under this paragraph on or after March 6, 2009.

(2) (a) When the corporation department designates a development zone under
s. 238.31 555.31, it shall establish a limit for tax benefits for the development zone
determined by allocating to the development zone a portion of $38,155,000.

(am) Notwithstanding par. (a), the corporation department may increase the
established limit for tax benefits for a development zone. The corporation
department may not increase the limit for tax benefits established for any
development zone designated under s. 238.31 555.31 on or after March 6, 2009.

(b) Annually the corporation department shall estimate the amount of forgone
state revenue because of tax benefits claimed by persons in each development zone.
(c) 1. Ninety days after the day on which the corporation department determines that the forgone tax revenues under par. (b) will equal or exceed the limit for the development zone established under par. (a) or (am).

2. The day that the corporation department withdraws its designation of an area as a development zone under sub. (3).

(d) The corporation department shall immediately notify the local governing body of a change in the expiration date of the development zone under par. (c).

(3) (intro.) The corporation department may withdraw the designation of an area as a development zone if any of the following applies:

(a) No person is certified as eligible to receive tax benefits under s. 238.365 (3) during the 12-month period beginning on the day the area is designated as a development zone and the corporation department determines that the local governing body that nominated the zone is not in compliance with s. 238.363 555.363.

(b) No person is certified as eligible to receive tax benefits under s. 238.365 555.365 (3) during the 24-month period beginning on the day the area is designated a development zone.

SECTION 399. 238.35 of the statutes is renumbered 555.35, and 555.35 (intro.), (6), (7), (8) and (10), as renumbered, are amended to read:

555.35 Additional duties of the corporation department. (intro.) The corporation department shall do all of the following:

(6) Notify University of Wisconsin small business development centers, the Wisconsin housing and development centers, the central administration of all University of Wisconsin campuses and regional planning commissions about the development zone program and encourage those entities to provide advice to the
corporation department or local governing bodies on ways to improve the development zone program.

(7) Prepare forms for the certification described under s. 238.365 555.365 (5).

(8) Annually verify information submitted to the corporation department under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or 76.636.

(10) Enter into an agreement with the local governing body of a 1st class city where a development zone is designated under s. 238.31 555.31 (3) (c) 1. to provide efficient administration of the development zone program within the development zone.

SECTION 400. 238.363 of the statutes is renumbered 555.363, and 555.363 (1) (intro.) and (c) and (4), as renumbered, are amended to read:

555.363 (1) (intro.) If an area nominated by a local governing body is designated as a development zone under s. 238.31 555.31, the local governing body shall do all of the following:

(c) Assist the corporation department in the administration of the development zone program.

(4) The local governing body of a 1st class city where a development zone is designated under s. 238.31 555.31 (3) (c) 1. shall enter into an agreement with the corporation department to provide efficient administration of the development zone program within the development zone.

SECTION 401. 238.365 of the statutes is renumbered 555.365, and 555.365 (intro.), (2), (3) (intro.), (b) and (j) and (5) (g) and (h), as renumbered, are amended to read:

555.365 Certification for tax benefits. (intro.) The corporation department shall do all of the following:
(2) Determine whether a person applying for tax benefits engages or will engage in economic activity that violates s. 238.38 555.38 (1).

(3) (intro.) Subject to s. 238.38 555.38, certify persons who are eligible to claim tax benefits while an area is designated as a development zone, according to the following criteria:

(b) The person’s commitment not to engage in economic activity that violates s. 238.38 555.38 (1).

(j) Any other criteria established under rules adopted by the corporation department.

(5) (g) The limit under s. 238.368 555.368 on tax benefits the person may claim while an area is designated as a development zone.

(h) Other information required by the corporation department or the department of revenue.

SECTION 402. 238.368 of the statutes is renumbered 555.368, and 555.368 (1) (a) and (b) (intro.), 1. and 2., (2) (intro.) and (b) and (3) (a) (intro.) and 1. and (b), as renumbered, are amended to read:

555.368 (1) (a) The corporation department shall establish a limit on the maximum amount of tax benefits a person certified under s. 238.365 555.365 (3) may claim while an area is designated as a development zone.

(b) (intro.) When establishing a limit on tax benefits under par. (a), the corporation department shall do all of the following:

1. Consider all of the criteria described in s. 238.365 555.365 (3) (a) to (e).

2. Establish a limit which does not greatly exceed a recommended limit, established under rules adopted by the corporation department based on the cost, number and types of full-time jobs that will be created, retained, or upgraded,
including full-time jobs available to members of the targeted population, as a result
of the economic activity of the person certified under s. 238.365 555.365 (3).

(2) (intro.) The corporation department may, upon request, increase a limit on
tax benefits established under sub. (1) if the corporation department does all of the
following:

(b) Revises the certification required under s. 238.365 555.365 (5) and provides
a copy of the revised form to the department of revenue and the person whose limit
is increased under this subsection.

(3) (a) (intro.) The corporation department may reduce a limit established
under sub. (1) or (2) if the corporation department determines that any of the
following applies:

1. The limit is not consistent with the criteria listed under s. 238.365 555.365
(3) (a) to (e).

(b) The corporation department shall notify the department of revenue and the
person whose limit on tax benefits is reduced under par. (a) and provide a written
explanation to the person of the reasons for reducing the limit.

SECTION 403. 238.37 of the statutes is renumbered 555.37, and 555.37 (1)
(intro.) and (b) and (2), as renumbered, are amended to read:

555.37 (1) (intro.) The corporation department shall revoke the certification of
a person certified under s. 238.365 555.365 (3) if the person does any of the following:

(b) Becomes subject to revocation under s. 238.38 555.38 (1).

(2) The corporation department shall notify the department of revenue within
30 days of revoking a certification under sub. (1).
SECTION 404. 238.38 of the statutes is renumbered 555.38, and 555.38 (1) (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to read:

555.38 (1) (intro.) Except as provided in subs. (2) and (3), no person may be certified under s. 238.365 555.365 (3), or a person’s certification may be revoked under s. 238.37 555.37, if the proposed new business, expansion of an existing business, or other proposed economic activity in a development zone would do or does any of the following:

(1m) No person may be certified under s. 238.365 555.365 (3) on or after March 6, 2009.

(2) (intro.) Subsection (1) does not apply if, after a hearing, the corporation department, or the local governing body under sub. (3) (a), determines that any of the following applies:

(a) The total number of full-time jobs provided by the person in this state would be reduced if the person were not certified under s. 238.365 555.365 (3) or if the person’s certification were revoked.

(3) (a) Except as provided in pars. (b) and (c), if the economic activity for which a person is seeking certification under s. 238.365 555.365 (3) is the relocation of a business into a development zone from a location that is outside the development zone but within the limits of a city, village, town, or federally recognized American Indian reservation in which that development zone is located, the local governing body that nominated that area as a development zone under s. 238.32 555.32 shall determine whether sub. (2) (a) or (b) applies.

(b) Only the corporation department may determine whether sub. (2) (a) or (b) applies to a business relocation described in par. (a) if the business relocation would
likely result in the loss of full-time jobs at or transfer of employees from a business
location that is in this state but outside the limits of any city, village, town, or
federally recognized American Indian reservation in which the development zone is
located.

**SECTION 405.** 238.385 of the statutes is renumbered 555.385, and 555.385 (1)
(intro.) and (bm) and (2) (intro.), (b) and (c), as renumbered, are amended to read:

555.385 (1) (intro.) For the development zone program under ss. 238.30 555.30
and 238.31 555.31 to 238.38 555.38, the development opportunity zone program
under s. 238.395 555.395, and the enterprise development zone program under s.
238.397 555.397, the corporation department shall adopt rules that further define
a person’s eligibility for tax benefits. The rules shall do at least all of the following:

(bm) Allow a person to claim up to $8,000 in tax benefits during the time that
an area is designated as an enterprise development zone for retaining a full-time job
if the corporation department determines that the person made a significant capital
investment to retain the full-time job.

(2) (intro.) The corporation department may by rule specify circumstances
under which the corporation department may grant exceptions to any of the
following:

(b) The requirement under ss. 238.30 555.30 (2m) and 238.397 555.397 (1) (am)
that an individual’s pay must equal at least 150% of the federal minimum wage.

(c) The requirement under ss. 238.30 555.30 (2m) and 238.397 555.397 (1) (am)
that an individual’s position must be regular, nonseasonal, and full-time and that
the individual must be required to work at least 2,080 hours per year, including paid
leave and holidays.
SECTION 406. 238.395 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.395, and 555.395 (1) (a), (b), (c), (d), (e), (f), (g), (h) and (i), (2) (c), (d) 1. and 2. and (e) 1., 2. and 3., (3) (a) 1., 2., 3. and 4., (b) 9. and (d), (4) (intro.) and (5) (a) (intro.), 2. and 3., (b), (c), (d), (e) (intro.) and 3. and (f), as renumbered, are amended to read:

555.395 (1) (a) An area in the city of Beloit, the legal description of which is provided to the corporation department by the local governing body of the city of Beloit.

(b) An area in the city of West Allis, the legal description of which is provided to the corporation department by the local governing body of the city of West Allis.

(c) An area in the city of Eau Claire, the legal description of which is provided to the corporation department by the local governing body of the city of Eau Claire.

(d) An area in the city of Kenosha, the legal description of which is provided to the corporation department by the local governing body of the city of Kenosha.

(e) An area in the city of Milwaukee, the legal description of which is provided to the corporation department by the local governing body of the city of Milwaukee.

(f) For the Gateway Project, an area in the city of Beloit, the legal description of which is provided to the corporation department by the local governing body of the city of Beloit.

(g) An area in the city of Janesville, the legal description of which is provided to the corporation department by the local governing body of the city of Janesville.

(h) An area in the city of Kenosha, the legal description of which is provided to the corporation department by the local governing body of the city of Kenosha.

(i) An area in the city of Beloit, the legal description of which is provided to the corporation department by the local governing body of the city of Beloit.
(2) (c) Annually, the corporation department shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each development opportunity zone.

(d) 1. Notwithstanding pars. (a) and (e), the designation of an area as a development opportunity zone shall expire 90 days after the day on which the corporation department determines that the forgone tax revenues under par. (c) will equal or exceed the limit for the development opportunity zone.

2. The corporation department shall immediately notify the local governing body of the city in which the development opportunity zone is located of a change in the expiration date of the development opportunity zone under this paragraph.

(e) 1. The corporation department may extend the designation of an area under sub. (1) (g) as a development opportunity zone for an additional 60 months if the corporation department determines that an extension under this subdivision would support economic development within the city. If the corporation department extends the designation of the area as a development opportunity zone, the limit for tax benefits for the development opportunity zone under sub. (1) (g) is increased by $5,000,000.

2. The corporation department may extend the designation of an area under sub. (1) (h) as a development opportunity zone for an additional 60 months if the corporation department determines that an extension under this subdivision would support economic development within the city. If the corporation department extends the designation of the area as a development opportunity zone, the limit for tax benefits for the development opportunity zone under sub. (1) (h) is increased by $5,000,000.
3. The corporation department may extend the designation of an area under sub. (1) (i) as a development opportunity zone for an additional 60 months if the corporation department determines that an extension will support economic development within the city. If the corporation department grants an extension under this subdivision, the limit for tax benefits for the development opportunity zone under sub. (1) (i) is increased by $5,000,000.

(3) (a) 1. Any person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (a) or (b) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the corporation department no later than 6 months after April 23, 1994, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

2. Any person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (c) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the corporation department no later than 6 months after April 28, 1995, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

3. Any person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (d) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the corporation department no later than July 1, 2000, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.
4. Any person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (e), (f), (g), (h), or (i) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the corporation department shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

(b) 9. Other information required by the corporation department or the department of revenue.

(d) The corporation department annually shall verify information submitted to the corporation department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), 71.47 (1dm) or (1dx), or 76.636.

(4) (intro.) The corporation department shall revoke the entitlement of a person to claim tax benefits under sub. (3) if the person does any of the following:

(5) (a) (intro.) The corporation department may certify for tax benefits a person that is conducting economic activity in the development opportunity zone under sub. (1) (e) or (f) and that is not otherwise entitled to claim tax benefits if all of the following apply:

2. The corporation department determines that the economic activity of the other person under subd. 1. would not have occurred but for the involvement of the person to be certified for tax benefits under this subsection.

3. The person to be certified for tax benefits under this subsection will pass the benefits through to the other person conducting the economic activity under subd. 1., as determined by the corporation department.

(b) A person intending to claim tax benefits under this subsection shall submit to the corporation department an application, in the form required by the corporation department.
department, containing information required by the corporation department and by the department of revenue.

(c) The corporation department shall notify the department of revenue of all persons certified to claim tax benefits under this subsection.

(d) The corporation department annually shall verify information submitted to the corporation department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), 71.47 (1dm) or (1dx), or 76.636.

(e) (intro.) The corporation department shall revoke the entitlement of a person to claim tax benefits under this subsection if the person does any of the following:

3. Does not pass the benefits through to the other person conducting the economic activity under par. (a) 1., as determined by the corporation department.

(f) The corporation department shall notify the department of revenue within 30 days after revoking an entitlement under par. (e).

SECTION 407. 238.397 of the statutes is renumbered 555.397, and 555.397 (1) (am), (c) and (d), (2) (a) (intro.), 3. and 4. a. and d., (b) (intro.) and 8., (bg) (intro.) and 2. and (br) (intro.), (c), (d) and (e), (3) (a), (b) 11. and (c), (4) (a), (c), (d) and (g), (5) (a), (b), (c) and (d) 1. and 2. and (6) (a) (intro.) and (b), as renumbered, are amended to read:

555.397 (1) (am) “Full-time job” has the meaning given in s. 238.30 555.30 (2m).

(c) “Target population” has the meaning given in s. 238.30 555.30 (6).

(d) “Tax benefits” has the meaning given in s. 238.30 555.30 (7).

(2) (a) (intro.) Subject to pars. (c), (d), and (e), the corporation department may designate an area as an enterprise development zone for a project if the corporation department determines all of the following:
3. That the project is not likely to occur or continue without the corporation's designation of the area as an enterprise development zone.

4. a. The unemployment rate in the area is higher than the state average for the 18 months immediately preceding the date on which the application under sub. (3) was submitted to the corporation department.

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

(b) (intro.) In making a determination under par. (a), the corporation department shall consider all of the following:

8. Any other factors that the corporation department considers relevant.

(bg) (intro.) Notwithstanding par. (a) and subject to pars. (c), (d), and (e), the corporation department may designate an area as an enterprise development zone for a project if the corporation department determines all of the following:

2. That the project is not likely to occur or continue without the corporation's designation of the area as an enterprise development zone.

(br) (intro.) In making a determination under par. (bg), the corporation department shall consider all of the following:

(c) The corporation department may not designate as an enterprise development zone, or as any part of an enterprise development zone, an area that is located within the boundaries of an area that is designated as a development opportunity zone under s. 238.395 555.395, the designation of which is in effect.

(d) The corporation department may not designate more than 98 enterprise development zones unless the corporation department obtains the approval of the
joint committee on finance to do so. Of the enterprise development zones that the corporation department designates, at least 10 shall be designated under par. (bg).

(e) The corporation department may not designate any area as an enterprise development zone on or after March 6, 2009.

(3) (a) A person that conducts or that intends to conduct a project and that desires to have the area in which the project is or is to be conducted designated as an enterprise development zone for the purpose of claiming tax benefits may submit to the corporation department an application and a project plan.

(b) 11. Any other information required by the corporation department or the department of revenue.

(c) The corporation department may not accept or approve any applications or project plans submitted under par. (a) on or after March 6, 2009.

(4) (a) Except as provided in par. (h), if the corporation department approves a project plan under sub. (3) and designates the area in which the person submitting the project plan conducts or intends to conduct the project as an enterprise development zone under the criteria under sub. (2), the corporation department shall certify the person as eligible for tax benefits.

(c) When the corporation department designates an area as an enterprise development zone for a project, the corporation department shall notify the governing body of any city, village, town, or federally recognized American Indian tribe or band in which the area is located of the area’s designation.

(d) The corporation department shall notify the department of revenue of all persons entitled to claim tax benefits under this section, except that the corporation department shall notify the office of the commissioner of insurance of all persons entitled to claim the credit under s. 76.636.
(g) The corporation department annually shall verify information submitted to the corporation department under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or 76.636.

(5) (a) When the corporation department designates an area as an enterprise development zone under this section, the corporation department shall specify the length of time, not to exceed 84 months, that the designation is effective, subject to par. (d) and sub. (6).

(b) When the corporation department designates an area as an enterprise development zone under this section, the corporation department shall establish a limit, not to exceed $3,000,000, for tax benefits for the enterprise development zone.

(c) Annually, the corporation department shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each enterprise development zone.

(d) 1. Notwithstanding the length of time specified by the corporation department under par. (a), the designation of an area as an enterprise development zone shall expire 90 days after the day on which the corporation department determines that the forgone tax revenues under par. (c) will equal or exceed the limit established for the enterprise development zone.

2. The corporation department shall immediately notify the department of revenue and the governing body of any city, village, town, or federally recognized American Indian tribe or band in which the enterprise development zone is located of a change in the expiration date of the enterprise development zone under this paragraph.
(6) (a) (intro.) The corporation department shall revoke the entitlement of a person to claim tax benefits under this section, and the designation of the area as an enterprise development zone shall expire, if the person does any of the following:
  (b) The corporation department shall notify the department of revenue within 30 days after revoking an entitlement under par. (a).

SECTION 408. 238.398 of the statutes is renumbered 555.398, and 555.398 (2) (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered, are amended to read:

555.398 (2) (a) Except as provided under par. (c), the corporation department may designate one area in the state as an agricultural development zone. The area must be located in a rural municipality. An agricultural business that is located in an agricultural development zone and that is certified by the corporation department under sub. (3) is eligible for tax benefits as provided in sub. (3).
  (b) The designation of an area as an agricultural development zone shall be in effect for 10 years from the time that the corporation department first designates the area. Not more than $5,000,000 in tax benefits may be claimed in an agricultural development zone, except that the corporation department may allocate the amount of unallocated airport development zone tax credits, as provided under s. 238.3995 555.3995 (3) (b), to agricultural development zones for which the $5,000,000 maximum allocation is insufficient. The corporation department may change the boundaries of an agricultural development zone during the time that its designation is in effect. A change in the boundaries of an agricultural development zone does not affect the duration of the designation of the area or the maximum tax benefit amount that may be claimed in the agricultural development zone.
(3) (a) Except as provided under par. (c), the corporation department may certify for tax benefits in an agricultural development zone a new or expanding agricultural business that is located in the agricultural development zone. In determining whether to certify a business under this subsection, the corporation department shall consider, among other things, the number of jobs that will be created or retained by the business.

(b) When the corporation department certifies an agricultural business under this subsection, the corporation department shall establish a limit on the amount of tax benefits that the business may claim. The corporation department shall enter into an agreement with the business that specifies the limit on the amount of tax benefits that the business may claim and reporting requirements with which the business must comply.

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

(b) The corporation department shall annually verify information submitted to the corporation department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), 71.47 (1dm) or (1dx), or 76.636.

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

(e) The exchange of information between the corporation department and the department of revenue.

SECTION 409. 238.399 of the statutes, as affected by 2015 Wisconsin Act 55, is renumbered 555.399, and 555.399 (1) (am) 2. (intro.), (3) (a), (b) (intro.), (bm), (c) and (d), (5) (intro.), (b), (c) 1. a. and b. and 2. b. and c., (d) 1. and (e), (5m) and (6) (b) (intro.), (d), (e), (f) and (g) (intro.) and 1. (intro.), as renumbered, are amended to read:
555.399 (1) (am) 2. (intro.) The corporation department may grant exceptions to the requirement under subd. 1. that a full-time employee means an individual who, as a condition of employment, is required to work at least 2,080 hours per year if all of the following apply:

(3) (a) The corporation department may designate not more than 30 enterprise zones.

(b) (intro.) In determining whether to designate an area under par. (a), the corporation department shall consider all of the following:

(bm) The corporation department shall specify whether an enterprise zone designated under par. (a) is located in a tier I county or municipality or a tier II county or municipality.

(c) The corporation department shall, to the extent possible, give preference to the greatest economic need.

(d) Notwithstanding pars. (b) and (c), the corporation department shall designate as enterprise zones at least 3 areas comprising political subdivisions whose populations total less than 5,000 and at least 2 areas comprising political subdivisions whose populations total 5,000 or more but less than 30,000. In designating an enterprise zone under this paragraph, the corporation department may consider indicators of an area’s economic need and the effect of designation on other economic development activities.

(5) Certification. (intro.) The corporation department may certify for tax benefits any of the following:

(b) A business that relocates to an enterprise zone from outside this state, if the business offers compensation and benefits to its employees working in the zone for
the same type of work that are at least as favorable as those offered to its employees 
working outside the zone, as determined by the corporation department.

(c) 1. a. The business enters into an agreement with the corporation 
department to claim tax benefits only for years during which the business maintains 
the increased level of personnel.

   b. The business offers compensation and benefits for the same type of work to 
its employees working in the enterprise zone that are at least as favorable as those 
offered to its employees working in this state but outside the zone, as determined by 
the corporation department.

2. b. The business enters into an agreement with the corporation department 
to claim tax benefits only for years during which the business maintains the capital 
investment.

   c. The business offers compensation and benefits for the same type of work to 
its employees working in the zone that are at least as favorable as those offered to 
its employees working in this state but outside the zone, as determined by the 
corporation department.

(d) 1. The business is a manufacturer with a significant supply chain in the 
state, as determined by the corporation department.

   (e) A business located in an enterprise zone if the business purchases tangible 
personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or 
services from Wisconsin vendors, as determined by the corporation department.

(5m) ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the 
corporation department determines that a business certified under sub. (5) makes 
a significant capital expenditure in the enterprise zone, the corporation department 
may certify the business to receive additional tax benefits in an amount to be
determined by the corporation department, but not exceeding 10 percent of the business’ capital expenditures. The corporation department shall, in a manner determined by the corporation department, allocate the tax benefits a business is certified to receive under this subsection over the remainder of the time limit of the enterprise zone under sub. (4).

(6) (b) (intro.) The corporation department shall revoke a certification under sub. (5) if the business does any of the following:

(d) The corporation department may require a business to repay any tax benefits the business claims for a year in which the business failed to maintain employment levels or a significant capital investment in property required by an agreement under sub. (5) (c).

(e) The corporation department shall determine the maximum amount of the tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business may claim and shall notify the department of revenue of this amount.

(f) The corporation department shall annually verify the information submitted to the corporation department under ss. 71.07 (3w), 71.28 (3w), or 71.47 (3w).

(g) (intro.) The corporation department shall adopt policies and procedures promulgate rules specifying all of the following:

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

SECTION 410. 238.3995 of the statutes is renumbered 555.3995, and 555.3995

(1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b),
(c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and (5), as renumbered, are amended to read:

555.3995 (1) (b) “Full-time job” has the meaning given in s. 238.30 555.30 (2m).

(c) “Target population” has the meaning given in s. 238.30 555.30 (6).

(2) (a) (intro.) Subject to pars. (c) and (e), the corporation department may designate an area as an airport development zone if the corporation department determines all of the following:

4. That the airport development project is not likely to occur or continue without the corporation department designation of the area as an airport development zone.

(b) (intro.) In making a determination under par. (a), the corporation department shall consider all of the following:

8. Any other factors that the corporation department considers relevant.

(c) 1. The corporation department may not designate as an airport development zone, or as any part of an airport development zone, an area that is located within the boundaries of an area that is designated as a development zone under s. 238.31 555.31, as a development opportunity zone under s. 238.395 555.395, or as an enterprise development zone under s. 238.397 555.397.

2. The corporation department shall give the department of transportation the opportunity to review and comment on any proposed designation under this subsection and the department of transportation may deny any such designation if the department of transportation determines that the designation would compromise the airport’s safety or utility. The department of transportation may also review and comment on any land use or compatibility issues related to any proposed designation under this subsection.
(d) Notwithstanding pars. (a) to (c), and except as provided in par. (e), the corporation department shall designate as an airport development zone the area within the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade, Lincoln, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano, Taylor, Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

(3) (a) When the corporation department designates an area as an airport development zone, the corporation department shall specify the length of time, not to exceed 84 months, that the designation is effective, subject to par. (d). The corporation department shall notify each person certified for tax benefits in an airport development zone, the department of revenue, the department of transportation, the Wisconsin Housing and Economic Development Authority, and the governing body of each county, city, village, town, and federally recognized American Indian tribe or band in which territory of the airport development zone is located of the designation of and expiration date of the airport development zone.

(b) When the corporation department designates an area as an airport development zone, the corporation department shall establish a limit, not to exceed $3,000,000, for tax benefits applicable to the airport development zone, except that the corporation department shall limit the amount of tax benefits applicable to the airport development zone designated under sub. (2) (d) to $750,000. The total tax benefits applicable to all airport development zones may not exceed $9,000,000, less any amount allocated to technology zones under s. 238.23 555.23 (2) (b) and to agricultural development zones under s. 238.398 555.398 (2) (b), and except that the total amount allocated to all technology zones under s. 238.23 555.23 (2) (b) and to all agricultural development zones under s. 238.398 555.398 (2) (b), may not exceed $6,000,000. The corporation department may not reallocate amounts as provided
under this paragraph on or after January 1, 2010, except that the corporation department may, after 48 months from the month of any designation under this section, evaluate the area designated as an airport development zone and reallocate the amount of available tax benefits.

(c) Annually, the corporation department shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each airport development zone.

(d) 1. Notwithstanding the length of time specified by the corporation department under par. (a), the designation of an area as an airport development zone shall expire 90 days after the day on which the corporation department determines that the forgone tax revenues estimated under par. (c) will equal or exceed the limit established for the airport development zone.

2. The corporation department shall immediately notify each person certified for tax benefits in an airport development zone, the department of revenue, the department of transportation, the Wisconsin Housing and Economic Development Authority, and the governing body of each county, city, village, town, and federally recognized American Indian tribe or band in which territory of the airport development zone is located of a change in the expiration date of the airport development zone under this paragraph.

(4) (a) (intro.) A person that intends to operate a place of business in an airport development zone may submit to the corporation department an application and a business plan. The business plan shall include all of the following:

10. Any other information required by the corporation department or the department of revenue.
(am) A person that intends to operate a business in the airport development zone designated under sub. (2) (d) may submit to the corporation department an application and a business plan that includes all of the information required under par. (a). In approving business plans submitted under this paragraph, the corporation department shall give higher priority to airport development projects located or proposed to be located in areas that have a low median household income, as determined by the corporation department.

(ar) The corporation department may not accept or approve any applications or business plans submitted under par. (a) on or after March 6, 2009.

(b) 1. Except as provided in subd. 2., if the corporation department approves a business plan under par. (a) or (am), the corporation department shall certify the person as eligible for tax benefits. The corporation department shall notify the department of revenue within 30 days of certifying a person under this paragraph.

(c) (intro.) The corporation department shall revoke a person’s certification under par. (b) when the designation of the applicable airport development zone expires or if the person does any of the following:

(d) The corporation department shall notify the department of revenue within 30 days after revoking a certification under par. (c).

(5) VERIFICATION OF INFORMATION. The corporation department annually shall verify information submitted to the corporation department under ss. 71.07 (2dm) and (2dx), 71.28 (1dm) and (1dx), and 71.47 (1dm) and (1dx) as it relates to airport development zones.

SECTION 411. 281.60 (6) of the statutes is amended to read:

281.60 (6) PRIORITY LIST. The department shall establish a priority list that ranks each land recycling loan program project. The department shall promulgate
rules for determining project rankings based on the potential of projects to reduce environmental pollution and threats to human health and, for sites and facilities that are not landfills, the extent to which projects will prevent the development of undeveloped land by making land available for redevelopment after a cleanup is conducted. Before the department establishes the priority list, the department shall consider the recommendations of the department of administration and the Wisconsin Economic Development Corporation department of economic opportunity.

SECTION 412. 281.75 (4) (b) 3. of the statutes is amended to read:

281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 231, 233, 234, or 237, or 238.

SECTION 413. 285.59 (1) (b) of the statutes is amended to read:

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

SECTION 414. 292.11 (7) (d) 1m. b. of the statutes is amended to read:

292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the area consists of 2 or more properties affected by a contiguous region of groundwater contamination or contains 2 or more properties that are brownfields, as defined in s. 238.13 555.13 (1) (a).
SECTION 415. 292.255 of the statutes is amended to read:

292.255 Report on brownfield efforts. The department of natural resources, the department of administration, and the Wisconsin Economic Development Corporation shall submit a report evaluating the effectiveness of this state’s efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. 238.13 555.13 (1) (a).

SECTION 416. 292.63 (4) (cc) 2. b. of the statutes is amended to read:

292.63 (4) (cc) 2. b. An applicant that is engaged in the expansion or redevelopment of brownfields, as defined in s. 238.13 555.13 (1) (a), if federal or state financial assistance other than under this section, has been provided for that expansion or redevelopment.

SECTION 417. Chapter 555 (title) of the statutes is created to read:

CHAPTER 555

DEPARTMENT OF ECONOMIC OPPORTUNITY

SECTION 418. 555.01 (1) of the statutes is created to read:

555.01 (1) “Department” means the department of economic opportunity.

SECTION 419. 555.01 (3) of the statutes is created to read:

555.01 (3) “Secretary” means the secretary of economic opportunity.

SECTION 420. 555.07 (2) (i) of the statutes is created to read:

555.07 (2) (i) The number of businesses or other persons against whom the department, or the Wisconsin Economic Development Corporation under ch. 238, 2013 stats., has initiated an action because the business or other person is not in compliance with contract requirements under an economic development program under this chapter, and the total dollar amount that has been recovered to date as a result of those actions.
SECTION 421. 555.095 of the statutes is created to read:

555.095 Contract terms. All terms of each contract the department executes shall be in compliance with state law at the time the contract is executed.

SECTION 422. 555.12 (1) (a) of the statutes is created to read:

555.12 (1) (a) “Full-time job” has the meaning given in s. 555.30 (2m).

SECTION 423. 555.12 (2) (b) of the statutes is created to read:

555.12 (2) (b) Requires the person to repay all or a portion of, as specified in the agreement, the grant, loan, or tax benefits if, within 5 years after receiving the grant or loan or being certified to receive tax benefits, the total number of employees the person employs in full-time jobs in this state falls below the average number of employees the person employed in full-time jobs in this state during the 2 years immediately prior to the person receiving the grant or loan or certification to receive tax benefits. The department shall refer any claim for damages under this paragraph to the department of justice for collection.

SECTION 424. 555.12 (2) (c) of the statutes is created to read:

555.12 (2) (c) Requires the person to repay all or a portion of, as specified in the agreement, the grant, loan, or tax benefits if, within 5 years after the contract terms related to the grant, loan, or tax benefits have been completed, the person eliminates any full-time job in this state that was created as a result of the grant, loan, or tax benefits. The department shall refer any claim for damages under this paragraph to the department of justice for collection.

SECTION 425. 555.121 of the statutes is created to read:

555.121 Verification of information. If the department is required under this chapter to verify information submitted to it by a person who has been awarded a grant, loan, or tax credit, the department shall independently review the person’s
relevant records, including, if applicable, payroll records and audited statements of capital expenditures.

**SECTION 426.** 555.122 of the statutes is created to read:

*555.122 Background checks.* (1) Before the department executes a contract awarding a grant or loan or tax benefits to a person under this chapter, the department shall conduct a background check of the person that includes information concerning the person’s business performance and a review of any legal proceedings in which the person is or was a party.

(2) If within 90 days after completing the background check under sub. (1) the department has not executed the contract awarding a grant or loan or tax benefits to the person, the department shall conduct another background check of the person under sub. (1) before executing that contract.

**SECTION 427.** Subchapter III of chapter 555 [precedes 555.40] of the statutes is created to read:

**CHAPTER 555**

SUBCHAPTER III

BADGER INNOVATION CORPORATION

*555.40 Definitions.* In this subchapter:

(1) “Badger Innovation Corporation” or, unless the context requires otherwise, “corporation,” means the corporation specified in 16.35 (3).

(2) “Board” means the board of directors of the Badger Innovation Corporation.

*555.41 Department duties.* The department shall cooperate with the Badger Innovation Corporation to carry out the corporation’s duties under s. 555.43.

*555.42 Board of directors.* (1) The members of the board shall consist of the following:
(a) The secretary, who shall act as chairperson.

(b) One representative to the assembly appointed by the speaker of the assembly.

(c) One representative to the assembly appointed by the minority leader of the assembly.

(d) One senator appointed by the majority leader of the senate.

(e) One senator appointed by the minority leader of the senate.

(f) Nine members nominated by the governor and, with the advice and consent of the senate, appointed for staggered 3-year terms. The members appointed under this subsection shall represent regional and local economic development agencies, private business, and other related stakeholder groups.

(g) The secretaries of administration, revenue, and workforce development, who shall serve as nonvoting members.

(2) The board shall select a chief executive officer subject to the approval of the governor. The chief executive officer shall serve at the pleasure of the board and shall receive such compensation as may be determined by the board. The chief executive officer shall select a chief operating officer and chief financial officer who shall serve at the pleasure of the chief executive officer.

555.43 Corporation duties. The Badger Innovation Corporation shall, as a condition of receiving the payments under s. 555.44 (2), contract with the department to do all of the following:

(1) Develop and implement economic programs to provide business support and expertise and financial assistance to companies that are investing and creating jobs in Wisconsin and to support new business start-ups and business expansion and growth in Wisconsin.
(2) Conduct foreign trade missions, business siting promotion, international business development, and marketing.

(3) Create industry cluster development strategies.

**555.44 State aid.** (1) The Badger Innovation Corporation may receive the payments under sub. (2) if each of the following is satisfied:

(a) The articles of incorporation state that the purpose of the corporation is to carry out the economic development activities specified under s. 555.43 and that, if the corporation dissolves or discontinues economic development activities in this state, the corporation shall in good faith take all reasonable measures to transfer or assign the corporation’s assets to an entity whose purpose is to advance economic development in this state.

(b) The corporation initially adopts the bylaws drafted under s. 16.35 (3) (b) and maintains the method of selection and composition of the board of directors required under s. 555.42.

(c) The requirements under sections 555.42 and 555.43 are met.

(d) The corporation permits public inspection and copying of any record of the corporation, as defined in s. 19.32 (2), to the same extent as is required of, and subject to the same terms and enforcement provisions that apply to, an authority under subch. II of ch. 19.

(e) The corporation provides public access to its meetings to the same extent as is required of, and subject to the same terms and enforcement provisions that apply to, a governmental body under subch. V of ch. 19.

(f) The corporation fully cooperates with the legislative audit bureau for purposes of the audits under s. 13.94 (1) (ds), including by providing the employees of the legislative audit bureau with access to all of the corporation’s records.
(2) The secretary of administration shall pay aid under s. 20.505 (1) (zr) to the corporation in installments, as determined by the secretary and authorized under this subchapter.

SECTION 428. Effective dates. This act takes effect on the effective date of the transition plan stated in the notice provided to the legislative reference bureau under section 16.35 (2) (b) 6. of the statutes, as created by this act, except as follows:

(1) Creation of economic development transition council. The creation of sections 15.107 (20) and 16.35 of the statutes takes effect on the day after publication.

(2) Act ineffective. If the notice specified in section 16.35 (2) (b) 3. of the statutes is not provided to the legislative reference bureau before July 1, 2020, the repeal of sections 15.107 (20) and 16.35 of the statutes takes effect on July 1, 2020, and this act, except for this subsection, shall be ineffective in its entirety.

(END)