

# State of Wisconsin



2021 Assembly Bill 759

Date of enactment: April 8, 2022  
Date of publication\*: April 9, 2022

## 2021 WISCONSIN ACT 224

AN ACT to renumber and amend 238.15 (1) (b); and to create 238.15 (1) (b) 1., 2., 3. and 4. of the statutes; relating to: qualified new business venture eligibility.

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

**SECTION 1.** 238.15 (1) (b) of the statutes is renumbered 238.15 (1) (b) (intro.) and amended to read:

238.15 (1) (b) (intro.) At least 51 percent of the employees employed by the business are employed in this state, except that if a business fails to satisfy this paragraph in any year due to a business merger or acquisition, the corporation may grant the business a waiver that allows the business to remain eligible for certification or recertification under this subsection if all of the following apply:

**SECTION 2.** 238.15 (1) (b) 1., 2., 3. and 4. of the statutes are created to read:

238.15 (1) (b) 1. The business maintains its headquarters in this state.

2. After the merger or acquisition, the business increases the number of employees the business employs in this state.

3. The corporation determines that the merger or acquisition was not for the purpose of relocating the business's operations or employees from this state to another state or for the purpose of ceasing the business's efforts to further grow and expand in this state.

4. No later than the first day of the 13th month beginning after the date of the merger or acquisition, at least 51 percent of the employees employed by the business are employed in this state.

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\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."