



2025 SENATE BILL 564

October 24, 2025 - Introduced by Senators FEYEN, PFAFF and SPREITZER, cosponsored by Representatives WITKE, ZIMMERMAN, ARMSTRONG, GOODWIN, KREIBICH, MOSES, MURSAU, O'CONNOR and UDELL. Referred to Committee on Government Operations, Labor and Economic Development.

1 **AN ACT to repeal** 238.15 (1) (b), 238.15 (1) (m) 1. a. to c. and 238.15 (3) (dm); **to**
2 **renumber and amend** 238.15 (1) (m) 1. (intro.); **to amend** 238.15 (1) (Lg); **to**
3 **create** 238.15 (1) (Lj) of the statutes; **relating to:** qualified new business
4 venture eligibility.

Analysis by the Legislative Reference Bureau

Under current law, the Wisconsin Economic Development Corporation may certify certain businesses as “qualified new business ventures” for purposes of receiving investments that qualify the investors for tax credits under the angel and early stage seed investment tax credit program. WEDC may certify a business as a qualified new business venture if, among other requirements, the business has its headquarters in this state and at least 51 percent of the business’s employees are employed in this state. This bill eliminates the 51 percent in-state employment requirement for certification.

Also under current law, a business must agree not to relocate outside of this state within three years after the business receives an investment under the program. Currently, relocation generally is defined as locating more than 51 percent any of the following outside of this state: 1) the business’s employees; 2) the business’s total payroll; or 3) the activities of the business’s headquarters. Under the bill, a business is considered to have relocated outside of this state if the business locates its headquarters outside of this state.

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Under current law, WEDC may certify a business as a qualified new business venture if, among other requirements, for taxable years beginning after December 31, 2017, the business has not received more than \$12,000,000 in investments that qualified for tax credits under the program. The bill raises that threshold to \$20,000,000 for taxable years beginning after December 31, 2025.

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:

1 **SECTION 1.** 238.15 (1) (b) of the statutes is repealed.

2 **SECTION 2.** 238.15 (1) (Lg) of the statutes is amended to read:

3 238.15 (1) (Lg) For taxable years beginning after December 31, 2017, and
4 before January 1, 2026, it has not received more than \$12,000,000 in investments
5 that have qualified for tax credits under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47
6 (5b), and 76.638.

7 **SECTION 3.** 238.15 (1) (Lj) of the statutes is created to read:

8 238.15 (1) (Lj) For taxable years beginning after December 31, 2025, it has
9 not received more than \$20,000,000 in investments that have qualified for tax
10 credits under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), and 76.638.

11 **SECTION 4.** 238.15 (1) (m) 1. (intro.) of the statutes is renumbered 238.15 (1)
12 (m) 1. and amended to read:

13 238.15 (1) (m) 1. It agrees that it will not relocate outside of this state during
14 the 3 years after it receives an investment for which a person may claim a tax credit
15 under s. 71.07 (5d) and agrees to pay the corporation a penalty, in an amount
16 determined under subd. 2., if the business relocates outside of this state during that
17 3-year period. For the purposes of this paragraph, ~~except as provided in policies~~
18 ~~and procedures under sub. (3) (dm)~~, a business relocates outside of this state when

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1 the business locates ~~more than 51 percent of any of the following~~ its headquarters,
2 as defined by the corporation's policies and procedures, outside of this state.

3 **SECTION 5.** 238.15 (1) (m) 1. a. to c. of the statutes are repealed.

4 **SECTION 6.** 238.15 (3) (dm) of the statutes is repealed.

5 **(END)**