



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0367/1  
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DOA:.....Ley, BB0146 - Definition of full time job for WEDC tax programs

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*  
**COMMERCE AND ECONOMIC DEVELOPMENT**

**ECONOMIC DEVELOPMENT**

Under current law, WEDC administers the jobs tax credit, the economic development tax credit, the development opportunity zone tax credit, and the enterprise zone tax credit (tax credit programs). Under current law, each of the tax credit programs defines "full-time job" as a job in which an individual must work at least 2,080 hours per year as a condition of his or her employment. However, for purposes of the enterprise zone tax credit program, the development opportunity zone tax credit, and the economic development tax credit program, WEDC is authorized to make an exception to the 2,080 hour requirement for an individual who works not less than 37.5 hours per week.

Under this bill, WEDC may make an exception to the 2,080 hours per year requirement under the tax credit programs, including the jobs tax credit program, but only if the job annually pays at least 2,080 times 150 percent of the federal minimum wage and the job offers full-time benefits.

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

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

**SECTION 1.** 71.07 (2dx) (a) 4. of the statutes is amended to read:

71.07 **(2dx)** (a) 4. “Full-time job” means a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150% of the federal minimum wage and receives benefits that are not required by federal or state law. “Full-time job” does not include initial training before an employment position begins has the meaning given in s. 238.30 (2m).

**SECTION 2.** 71.28 (1dx) (a) 4. of the statutes is amended to read:

71.28 **(1dx)** (a) 4. “Full-time job” means a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150% of the federal minimum wage and receives benefits that are not required by federal or state law. “Full-time job” does not include initial training before an employment position begins has the meaning given in s. 238.30 (2m).

**SECTION 3.** 71.47 (1dx) (a) 4. of the statutes is amended to read:

71.47 **(1dx)** (a) 4. “Full-time job” means a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150% of the federal minimum wage and receives benefits that are not required by federal or state law. “Full-time job” does not include initial training before an employment position begins has the meaning given in s. 238.30 (2m).

**SECTION 4.** 76.636 (1) (d) of the statutes is amended to read:

~~76.636 (1) (d) “Full-time job” means a regular, nonseasonal, full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150 percent of the federal minimum wage and receives benefits that are not required by federal or state law. “Full-time job” does not include initial training before an employment position begins has the meaning given in s. 238.30 (2m).~~

**SECTION 5.** 238.16 (1) (c) of the statutes is renumbered 238.16 (1) (c) 1. and amended to read:

238.16 (1) (c) 1. ~~“Full-time~~ Except as provided in subd. 2., “full-time” job” means a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150 percent of the federal minimum wage and benefits that are not required by federal or state law. “Full-time job” does not include initial training before an employment position begins.

**SECTION 6.** 238.16 (1) (c) 2. of the statutes is created to read:

238.16 (1) (c) 2. The corporation 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:

a. The annual pay for the position is more than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage.

b. An individual in the position is offered retirement, health, and other benefits that are equivalent to the retirement, health, and other benefits offered to an individual who is required to work at least 2,080 hours per year.

**SECTION 7.** 238.30 (intro.) of the statutes is amended to read:

**238.30 Definitions.** (intro.) In this section and ss. ~~238.31~~ 238.301 to 238.395:

**SECTION 8.** 238.30 (2m) (b) of the statutes is renumbered 238.30 (2m) (b) (intro.) and amended to read:

238.30 **(2m)** (b) (intro.) ~~The corporation may adopt a rule specifying circumstances under which the corporation may grant exceptions to the requirement under par. (a) that a full-time job means a job position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, but under no circumstances may a full-time job mean a job in which an individual, as a condition of employment, is required to work less than 37.5 hours per week. if all of the following apply:~~

**SECTION 9.** 238.30 (2m) (b) 1. of the statutes is created to read:

238.30 **(2m)** (b) 1. The annual pay for the position is more than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage.

**SECTION 10.** 238.30 (2m) (b) 2. of the statutes is created to read:

238.30 **(2m)** (b) 2. An individual in the position is offered retirement, health, and other benefits that are equivalent to the retirement, health, and other benefits offered to an individual who is required to work at least 2,080 hours per year.

**SECTION 11.** 238.399 (1) (am) 2. of the statutes is renumbered 238.399 (1) (am) 2. (intro.) and amended to read:

238.399 **(1)** (am) 2. (intro.) ~~The corporation may by rule specify circumstances under which the corporation 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, ~~but under no circumstances may a full-time employee mean an individual who, as a condition of employment, is required to work less than 37.5 hours per week.~~ if all of the following apply:

**SECTION 12.** 238.399 (1) (am) 2. a. of the statutes is created to read:

238.399 (1) (am) 2. a. The individual is employed in a job for which the annual pay is more than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage.

**SECTION 13.** 238.399 (1) (am) 2. b. of the statutes is created to read:

238.399 (1) (am) 2. b. The individual is offered retirement, health, and other benefits that are equivalent to the retirement, health, and other benefits offered to an individual who is required to work at least 2,080 hours per year.

**SECTION 9350. Initial applicability; Wisconsin Economic Development Corporation.**

(1) DEFINITION OF "FULL-TIME" UNDER CERTAIN TAX CREDIT PROGRAMS. The renumbering and amendment of sections 238.16 (1) (c), 238.30 (2m) (b), and 238.399 (1) (am) 2. of the statutes, the amendment of sections 71.07 (2dx) (a) 4., 71.28 (1dx) (a) 4., 71.47 (1dx) (a) 4., and 76.636 (1) (d) of the statutes, and the creation of sections 238.16 (1) (c) 2., 238.30 (2m) (b) 1., 238.30 (2m) (b) 2., 238.399 (1) (am) 2. a., and 238.399 (1) (am) 2. b. of the statutes first apply to taxable years beginning on January 1, 2013.

(END)