



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1140/P1
JK:amn

DOA:.....Quinn, BB0150 - Eliminate interest on WEDC credit refunds

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

This bill prohibits DOR and DOA from paying interest on refunds issued for the jobs tax credit, enterprise zone jobs credit, and business development credit.

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. 71.07 (3q) (d) 2. of the statutes is amended to read:

71.07 (3q) (d) 2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under ss. 71.02 and 71.08, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the

appropriation account under s. 20.835 (2) (bb), except that the amounts certified under this subdivision for taxable years beginning after December 31, 2009, and before January 1, 2012, shall be paid in taxable years beginning after December 31, 2011. Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 2. 71.07 (3w) (c) 1. of the statutes is amended to read:

71.07 (3w) (c) 1. If the allowable amount of the claim under this subsection exceeds the taxes otherwise due on the claimant's income under s. 71.02, the amount of the claim that is not used to offset those taxes shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation under s. 20.835 (2) (co). Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 3. 71.07 (3y) (d) 2. of the statutes is amended to read:

71.07 (3y) (d) 2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under ss. 71.02 and 71.08, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (bg). Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 4. 71.28 (3q) (d) 2. of the statutes is amended to read:

71.28 (3q) (d) 2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.23, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the

appropriation account under s. 20.835 (2) (bb), except that the amounts certified under this subdivision for taxable years beginning after December 31, 2009, and before January 1, 2012, shall be paid in taxable years beginning after December 31, 2011. Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 5. 71.28 (3w) (c) 1. of the statutes is amended to read:

71.28 (3w) (c) 1. If the allowable amount of the claim under this subsection exceeds the taxes otherwise due on the claimant's income under s. 71.23, the amount of the claim that is not used to offset those taxes shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation under s. 20.835 (2) (co). Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 6. 71.28 (3y) (d) 2. of the statutes is amended to read:

71.28 (3y) (d) 2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.23, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (bg). Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 7. 71.47 (3q) (d) 2. of the statutes is amended to read:

71.47 (3q) (d) 2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.43, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the

appropriation account under s. 20.835 (2) (bb), except that the amounts certified under this subdivision for taxable years beginning after December 31, 2009, and before January 1, 2012, shall be paid in taxable years beginning after December 31, 2011. Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 8. 71.47 (3w) (c) 1. of the statutes is amended to read:

71.47 **(3w)** (c) 1. If the allowable amount of the claim under this subsection exceeds the taxes otherwise due on the claimant's income under s. 71.43, the amount of the claim that is not used to offset those taxes shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation under s. 20.835 (2) (co). Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 9. 71.47 (3y) (d) 2. of the statutes is amended to read:

71.47 **(3y)** (d) 2. If the allowable amount of the claim under par. (b) exceeds the tax otherwise due under s. 71.43, the amount of the claim not used to offset the tax due shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (bg). Notwithstanding s. 71.82, no interest shall be paid on amounts certified under this subdivision.

SECTION 9338. Initial applicability; Revenue.

(1) INTEREST ON TAX REFUNDS. The treatment of sections 71.07 (3q) (d) 2., (3w) (c) 1., and (3y) (d) 2., 71.28 (3q) (d) 2., (3w) (c) 1., and (3y) (d) 2., and 71.47 (3q) (d) 2.,

(3w) (c) 1., and (3y) (d) 2. of the statutes first applies to taxable years beginning on January 1, 2017.

(END)