



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1469/P2
MES:jld

DOA:.....Quinn, BB0250 - Earned income tax credit retention for recently married filers

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 authorizes an Earned Income Tax Credit claimant, who becomes married in the taxable year to which his or her claim relates, to claim the greater of either the EITC that is calculated based on his or her current status as a married individual, or the EITC that he or she claimed in the immediately preceding taxable year. For the next two taxable years, such an individual may continue to claim the greater of either the EITC calculated for current year purposes, or the amount that he or she claimed in the taxable year before the year in which the claimant became married. Generally, married persons may not claim the EITC. The bill first applies to taxable years beginning after December 31, 2017.

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 (9e) (aL) of the statutes is created to read:

71.07 **(9e)** (aL) 1. For taxable years beginning after December 31, 2017, and notwithstanding par. (b), for an individual who claims the credit under par. (ak), if the claimant becomes married in the taxable year to which the claim relates, the claimant may claim the greater of either the credit calculated under par. (ak) based on his or filing status as a married individual, or the credit that he or she claimed in the immediately preceding taxable year under par. (aj) or (ak) when the claimant was not married, which shall be considered the base year.

2. For the next 2 successive taxable years after an individual calculates the credit under subd. 1., he or she may continue to claim the greater of either the credit calculated under par. (ak) based on his or filing status as a married individual in the current taxable year, or the credit that he or she claimed in the base year.

****NOTE: This is reconciled s. 71.07 (9e) (aL). This SECTION has been affected by drafts with the following LRB numbers: -1469 and -0999.

(END)