



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0675/P2
EKL:cde&emw

DOA:.....Quinn, BB0201 - Raise minimum wage threshold for enterprise zone and business development credits.

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT

Wage thresholds for business development and enterprise zone tax credits

This bill raises the minimum wage thresholds for the business development and enterprise zone tax credits for businesses that enter into contracts with WEDC after December 31, 2021. Under current law, WEDC may certify businesses that engage in qualifying activities, including full-time job creation and retention, to claim the credits. One requirement for claiming either credit is that the business enter into a contract with WEDC. In its contracts, WEDC uses a definition of "full-time employee" that means an individual who, among other things, is paid at least 150 percent of the federal minimum wage. The bill changes this minimum wage threshold to \$27,900 for the business development tax credit and to \$27,900 in a tier I county or municipality and \$37,000 in a tier II county or municipality for the enterprise zone tax credit, with all these amounts adjusted annually for inflation. Additionally, under current law, the enterprise zone tax credit is partially based on the wages paid to zone employees that are at least 150 percent of the federal minimum wage in a tier I county or municipality or \$30,000 in a tier II county or municipality. The bill changes these thresholds to \$27,900 and \$37,000, with both amounts adjusted annually for inflation.

The bill also modifies the maximum wage earnings limit for businesses that enter into contracts with WEDC after December 31, 2021. Under current law, the maximum wage earnings that may be considered per employee for the enterprise zone tax credit is \$100,000. The bill increases this amount to \$123,000, which is adjusted annually for inflation, and establishes the same dollar amount limit for the business development tax 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 (3w) (a) 2m. of the statutes is created to read:

71.07 (3w) (a) 2m. “Contract” means the contract between the claimant and Wisconsin Economic Development Corporation under s. 238.399.

SECTION 2. 71.07 (3w) (a) 6. of the statutes is renumbered 71.07 (3w) (a) 6. a. and amended to read:

71.07 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. “Zone Except as provided in subd. 6. b., “zone payroll” does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

SECTION 3. 71.07 (3w) (a) 6. b. of the statutes is created to read:

71.07 (3w) (a) 6. b. For a claimant whose contract is executed after December 31, 2021, “zone payroll” does not include the amount of wages paid to any full-time employees that exceeds \$123,000.

SECTION 4. 71.07 (3w) (b) (intro.) of the statutes is amended to read:

71.07 (3w) (b) *Filing claims under pre-2022 contracts; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant whose contract is executed prior to January 1, 2022, may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount calculated as follows:

SECTION 5. 71.07 (3w) (bd) of the statutes is created to read:

71.07 (3w) (bd) *Filing claims under post-2021 contracts; payroll.* Subject to the limitations provided in this subsection and s. 238.399, a claimant whose contract is executed after December 31, 2021, may claim as a credit against the tax imposed under s. 71.02 an amount calculated as follows:

1. Determine the amount that is the lesser of:

a. The number of full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full-time employees whose annual wages were greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

b. The number of full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full-time employees whose annual wages were greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

2. Determine the claimant's average zone payroll by dividing total wages for full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full-time employees whose annual wages are greater than \$27,900 in a tier I county

or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year.

3. For employees in a tier I county or municipality, subtract \$27,900 from the amount determined under subd. 2. and for employees in a tier II county or municipality, subtract \$37,000 from the amount determined under subd. 2.

4. Multiply the amount determined under subd. 3. by the amount determined under subd. 1.

5. Multiply the amount determined under subd. 4. by the percentage determined by under s. 238.399, not to exceed 7 percent.

SECTION 6. 71.07 (3w) (bm) 1. of the statutes is amended to read:

71.07 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subs. 2., ~~3., and 4. to 5.~~, and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant's full-time employees, to train any of the claimant's full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee's first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 7. 71.07 (3w) (bm) 2. of the statutes is renumbered 71.07 (3w) (bm) 2. (intro.) and amended to read:

71.07 (3w) (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd) and subs. 1., 3., ~~and 4.,~~ and 5., and subject to the limitations provided in this

subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. ~~A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 8. 71.07 (3w) (bm) 2. b. of the statutes is created to read:

71.07 (3w) (bm) 2. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined under s. 238.399, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality, not including the wages paid to the employees determined under par. (bd) 1., or greater than \$37,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year.

SECTION 9. 71.07 (3w) (bm) 3. of the statutes is amended to read:

71.07 **(3w)** (bm) 3. In addition to the credits under ~~par. pars.~~ (b) and (bd) and subds. 1., 2., ~~and 4.,~~ and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 up to 10 percent of the claimant's significant capital expenditures, as determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 10. 71.07 (3w) (bm) 4. of the statutes is amended to read:

71.07 **(3w)** (bm) 4. In addition to the credits under ~~par. pars.~~ (b) and (bd) and subds. 1., 2., ~~and 3.,~~ and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 11. 71.07 (3w) (bm) 5. of the statutes is renumbered 71.07 (3w) (bm) 5. (intro.) and amended to read:

71.07 **(3w)** (bm) 5. (intro.) In addition to the credits under ~~par. pars.~~ (b) and (bd) and subds. 1. to 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number of full-time employees determined under s. 238.399 (5) (f) and maintained average zone payroll for the taxable year equal to or greater than the base year may claim

as a credit against the tax imposed under s. 71.02 or 71.08 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full-time employees in the enterprise zone whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than \$30,000 in a tier II county or municipality. The amount that the claimant may claim as credit under this subdivision for a taxable year shall not exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

SECTION 12. 71.07 (3w) (bm) 5. b. of the statutes is created to read:

71.07 (3w) (bm) 5. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full-time employees in the enterprise zone whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality.

SECTION 13. 71.07 (3w) (c) 5. of the statutes is created to read:

71.07 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more than 5 consecutive taxable years.

SECTION 14. 71.07 (3w) (c) 6. of the statutes is created to read:

71.07 (3w) (c) 6. The amount that the claimant may claim as credit under par. (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit under par. (bm) 5. for no more than 5 consecutive taxable years.

SECTION 15. 71.07 (3w) (cm) of the statutes is created to read:

71.07 (3w) (cm) *Inflation adjustments.* For taxable years beginning after December 31, 2022, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3., and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

SECTION 16. 71.28 (3w) (a) 2m. of the statutes is created to read:

71.28 (3w) (a) 2m. “Contract” means a contract between the claimant and Wisconsin Economic Development Corporation under s. 238.399.

SECTION 17. 71.28 (3w) (a) 6. of the statutes is renumbered 71.28 (3w) (a) 6. a. and amended to read:

71.28 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. “Zone Except as provided in subd. 6. b., “zone payroll” does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

SECTION 18. 71.28 (3w) (a) 6. b. of the statutes is created to read:

71.28 (3w) (a) 6. b. For a claimant whose contract is executed after December 31, 2021, “zone payroll” does not include the amount of wages paid to any full-time employees that exceeds \$123,000.

SECTION 19. 71.28 (3w) (b) (intro.) of the statutes is amended to read:

71.28 (3w) (b) *Filing claims under pre-2022 contracts; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant whose contract is executed prior to January 1, 2022, may claim as a credit against the tax imposed under s. 71.23 an amount calculated as follows:

SECTION 20. 71.28 (3w) (bd) of the statutes is created to read:

71.28 (3w) (bd) *Filing claims under post-2021 contracts; payroll.* Subject to the limitations provided in this subsection and s. 238.399, a claimant whose contract is executed after December 31, 2021, may claim as a credit against the tax imposed under s. 71.23 an amount calculated as follows:

1. Determine the amount that is the lesser of:

a. The number of full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full-time employees whose annual wages were greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

b. The number of full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full-time employees whose annual wages were greater than

\$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

2. Determine the claimant's average zone payroll by dividing total wages for full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year.

3. For employees in a tier I county or municipality, subtract \$27,900 from the amount determined under subd. 2. and for employees in a tier II county or municipality, subtract \$37,000 from the amount determined under subd. 2.

4. Multiply the amount determined under subd. 3. by the amount determined under subd. 1.

5. Multiply the amount determined under subd. 4. by the percentage determined under s. 238.399, not to exceed 7 percent.

SECTION 21. 71.28 (3w) (bm) 1. of the statutes is amended to read:

71.28 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 2., ~~3., and 4. to 5.~~, and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to a percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant's full-time employees, to train any of the claimant's full-time employees on the use of job-related new technologies, or to provide job-related

training to any full-time employee whose employment with the claimant represents the employee's first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 22. 71.28 (3w) (bm) 2. of the statutes is renumbered 71.28 (3w) (bm) 2. (intro.) and amended to read:

71.28 **(3w)** (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd) and subs. 1., 3., ~~and 4., and 5.,~~ and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. ~~A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 23. 71.28 (3w) (bm) 2. b. of the statutes is created to read:

71.28 **(3w)** (bm) 2. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined under s. 238.399, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the

claimant's full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality, not including the wages paid to the employees determined under par. (bd) 1., or greater than \$37,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year.

SECTION 24. 71.28 (3w) (bm) 3. of the statutes is amended to read:

71.28 (3w) (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., ~~and 4.,~~ and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23 up to 10 percent of the claimant's significant capital expenditures, as determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 25. 71.28 (3w) (bm) 4. of the statutes is amended to read:

71.28 (3w) (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., ~~and 3.,~~ and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.23, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 26. 71.28 (3w) (bm) 5. of the statutes is renumbered 71.28 (3w) (bm) 5. (intro.) and amended to read:

71.28 (3w) (bm) 5. (intro.) In addition to the credits under ~~par. pars.~~ par. (b) and (bd) and subs. 1. to 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number of full-time employees determined under s. 238.399 (5) (f) and maintained average zone payroll for the taxable year equal to or greater than the base year may claim as a credit against the tax imposed under s. 71.23 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full-time employees in the enterprise zone whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than \$30,000 in a tier II county or municipality. The amount that the claimant may claim as credit under this subdivision for a taxable year shall not exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

SECTION 27. 71.28 (3w) (bm) 5. b. of the statutes is created to read:

71.28 (3w) (bm) 5. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full-time employees in the enterprise zone whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality.

SECTION 28. 71.28 (3w) (c) 5. of the statutes is created to read:

71.28 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more than 5 consecutive taxable years.

SECTION 29. 71.28 (3w) (c) 6. of the statutes is created to read:

71.28 (3w) (c) 6. The amount that the claimant may claim as credit under par. (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit under par. (bm) 5. for no more than 5 consecutive taxable years.

SECTION 30. 71.28 (3w) (cm) of the statutes is created to read:

71.28 (3w) (cm) *Inflation adjustments.* For taxable years beginning after December 31, 2022, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3., and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

SECTION 31. 71.47 (3w) (a) 2m. of the statutes is created to read:

71.47 (3w) (a) 2m. “Contract” means a contract between the claimant and Wisconsin Economic Development Corporation under s. 238.399.

SECTION 32. 71.47 (3w) (a) 6. of the statutes is renumbered 71.47 (3w) (a) 6. a. and amended to read:

71.47 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. ~~“Zone~~ Except as provided in subd. 6. b., “zone payroll” does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

SECTION 33. 71.47 (3w) (a) 6. b. of the statutes is created to read:

71.47 (3w) (a) 6. b. For a claimant whose contract is executed after December 31, 2021, “zone payroll” does not include the amount of wages paid to any full-time employees that exceeds \$123,000.

SECTION 34. 71.47 (3w) (b) (intro.) of the statutes is amended to read:

71.47 (3w) (b) *Filing claims under pre-2022 contracts; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant whose contract is executed prior to January 1, 2022, may claim as a credit against the tax imposed under s. 71.43 an amount calculated as follows:

SECTION 35. 71.47 (3w) (bd) of the statutes is created to read:

71.47 (3w) (bd) *Filing claims under post-2021 contracts; payroll.* Subject to the limitations provided in this subsection and s. 238.399, a claimant whose contract is executed after December 31, 2021, may claim as a credit against the tax imposed under s. 71.43 an amount calculated as follows:

1. Determine the amount that is the lesser of:

a. The number of full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full-time employees whose annual wages were greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II

county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

b. The number of full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full-time employees whose annual wages were greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

2. Determine the claimant's average zone payroll by dividing total wages for full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full-time employees whose annual wages are greater than \$27,900 or greater than \$37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year.

3. For employees in a tier I county or municipality, subtract \$27,900 from the amount determined under subd. 2. and for employees in a tier II county or municipality, subtract \$37,000 from the amount determined under subd. 2.

4. Multiply the amount determined under subd. 3. by the amount determined under subd. 1.

5. Multiply the amount determined under subd. 4. by the percentage determined under s. 238.399, not to exceed 7 percent.

SECTION 36. 71.47 (3w) (bm) 1. of the statutes is amended to read:

71.47 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s.

238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to a percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant's full-time employees, to train any of the claimant's full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee's first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 37. 71.47 (3w) (bm) 2. of the statutes is renumbered 71.47 (3w) (bm) 2. (intro.) and amended to read:

71.47 **(3w)** (bm) 2. (intro.) In addition to the credits under ~~par. pars.~~ par. (b) and (bd) and subs. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of

such employees in the base year. ~~A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 38. 71.47 (3w) (bm) 2. b. of the statutes is created to read:

71.47 (3w) (bm) 2. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined under s. 238.399, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than \$27,900 in a tier I county or municipality, not including the wages paid to the employees determined under par. (bd) 1., or greater than \$37,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year.

SECTION 39. 71.47 (3w) (bm) 3. of the statutes is amended to read:

71.47 (3w) (bm) 3. In addition to the credits under ~~par. pars.~~ (b) and (bd) and subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.43 up to 10 percent of the claimant's significant capital expenditures, as determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 40. 71.47 (3w) (bm) 4. of the statutes is amended to read:

71.47 (3w) (bm) 4. In addition to the credits under ~~par. pars.~~ (b) and (bd) and subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.43, up to

1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 41. 71.47 (3w) (c) 5. of the statutes is created to read:

71.47 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more than 5 consecutive taxable years.

SECTION 42. 71.47 (3w) (cm) of the statutes is created to read:

71.47 (3w) (cm) *Inflation adjustments.* For taxable years beginning after December 31, 2022, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3., and (bm) 2. b. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

SECTION 43. 238.30 (2m) (a) of the statutes is amended to read:

238.30 (2m) (a) Except as provided in par. (b) and s. 238.308 (1) (b), “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 44. 238.308 (1) of the statutes is renumbered 238.308 (1) (intro.) and amended to read:

238.308 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,;

(a) “~~eligible~~ Eligible employee” means a person employed in a full-time job by a person certified under sub. (2).

SECTION 45. 238.308 (1) (b) of the statutes is created to read:

238.308 (1) (b) 1. Except as provided in subd. 2., “full-time job” has the meaning given in s. 238.30 (2m).

2. a. For contracts executed by the corporation under this section after December 31, 2021, “full-time job” means, except as provided in subd. 2. b., 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 \$27,900 and benefits that are not required by federal or state law. “Full-time job” does not include initial training before an employment position begins.

b. The corporation may grant exceptions to the requirement under subd. 2. a. 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 the annual pay for the position exceeds \$27,900 and 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 46. 238.308 (4) (a) 1. of the statutes is amended to read:

238.308 (4) (a) 1. An amount equal to up to 10 percent of the amount of wages that the person paid to an eligible employee in the taxable year. For contracts executed by the corporation after December 31, 2021, the amount of wages taken into account under this subdivision may not exceed \$123,000 per eligible employee per year. Beginning on January 1, 2023, the dollar amount under this subdivision shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this subdivision shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

SECTION 47. 238.399 (1) (am) 2. a. of the statutes is amended to read:

238.399 (1) (am) 2. a. The For contracts executed by the corporation under this section prior to January 1, 2022, 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 48. 238.399 (1) (am) 2. c. of the statutes is created to read:

238.399 (1) (am) 2. c. For contracts executed by the corporation under this section after December 31, 2021, the individual is employed in a job for which the annual pay is more than \$27,900 in a tier I county or municipality or more than \$37,000 in a tier II county or municipality.

SECTION 49. 238.399 (6) (h) of the statutes is created to read:

238.399 (6) (h) Beginning on January 1, 2023, the dollar amount in sub. (1) (am) 2. c. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

(END)