



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Senate Bill 55

Senate Amendments 1 and 2

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Contact: Scott Grosz, Staff Attorney (266-1307)

2009 Senate Bill 55 would make changes to the administration of the State Historic Building Code and the Multifamily Dwelling Code, increase state historic rehabilitation tax credits, authorize the State Historical Society to certify rehabilitation projects and charge a fee for this service, and implement various measures to promote downtown development, certification, tourism, and coordination of transportation projects.

Specifically, among other provisions, the bill would charge a \$150 certification fee for the state historic rehabilitation tax credit and a 2% certification fee, but not less than \$300 nor more than \$20,000, for the supplemental historic rehabilitation tax credit. Additionally, the bill would increase the size of the state historic rehabilitation tax credit and the supplemental historic rehabilitation tax credit for work beginning January 1, 2010. For the supplemental historic rehabilitation tax credit, the bill would create an alternative eligibility requirement for persons who do not satisfy the adjusted basis requirement under s. 47 (c) (1) of the Internal Revenue Code but otherwise qualify for the federal rehabilitation credit under s. 47 of the Internal Revenue Code. The bill also modifies the certification and claims processes for the supplemental historic rehabilitation tax credit, and would provide “add-back” provisions for persons who claim the supplemental credit if sale, conveyance, or non-compliance with Historical Society standards arises within five years of completion of the preservation or rehabilitation work that was the basis for the credit.

Senate Amendments 1 and 2 delete modifications related to the state and supplemental historic rehabilitation tax credits contained in Senate Bill 55, with the exception of the \$150 certification fee, which would apply to both credits under the bill, as amended. Generally, the amendments delete increases to the tax credits and reconcile Senate Bill 55 with changes to the state and supplemental historic rehabilitation credits that were enacted in 2009 Wisconsin Act 28, the biennial budget bill.

Legislative History

Senate Amendments 1 and 2 were offered by the Senate Committee on Economic Development. On October 22, 2009, the Assembly Committee on Workforce Development recommended adoption of the amendments on a vote of Ayes, 7; Noes, 0. The committee recommended passage of Senate Bill 55, as amended, by a vote of Ayes, 7; Noes, 0.

SG:ksm