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State of Misconsin 1997 - 1998 LEGISLATURE

1997 ASSEMBLY BILL 272

- April 11, 1997 Introduced by Representatives Owens, Musser, Brandemuehl, Dobyns, Freese, Goetsch, Gunderson, Hahn, Handrick, Kreibich, Lorge, Plale, Ryba, Seratti, Sykora and Vander Loop, cosponsored by Senators Buettner, Drzewiecki, Welch and Zien. Referred to Committee on Ways and Means.
- 1 AN ACT to create 71.75 (11) of the statutes; relating to: income tax refunds for
 - certain disabled veterans.

Analysis by the Legislative Reference Bureau

This bill requires the department of revenue to issue an income tax refund to an individual who is otherwise eligible to receive a refund if the individual received separation pay from the U.S. military, paid income tax on the amount received and then had his or her status changed by the federal government such that the military considers the payment to have been a disability payment.

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.** 71.75 (11) of the statutes is created to read:
- 4 71.75 (11) If an individual files an amended income tax return and is otherwise

5 eligible to receive a refund under this subchapter, the department shall pay the

- 6 refund claim, in an amount equal to the amount of taxes paid by the individual under
- 7 par. (b), if all of the following apply:

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14	(END)
13	of this subsection.
12	(1) This act first applies to amended returns that are filed on the effective date
11	SECTION 2. Initial applicability.
10	under par. (a), is now considered to have been made under 10 USC 1212.
9	(d) The U.S. military states that the individual's payment, that is described
8	1161.
7	recognizes that the individual is disabled, as that term is used in 38 USC 1101 to
6	is changed by the federal government and the U.S. Department of Veterans Affairs
5	(c) After paying the amount owed under par. (b), the status of the individual
4	and the individual paid the amount owed.
3	(b) Taxes were imposed under s. 71.02 on the amount described under par. (a)
2	received separation pay under 10 USC 1174.
1	(a) The individual separated from the U.S. military and was eligible for and

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