



2005 SENATE BILL 458

November 29, 2005 - Introduced by Senators KAPANKE, GROTHMAN and OLSEN, cosponsored by Representatives HUEBSCH, ALBERS, FRISKE, GUNDERSON, MUSSER, OTT, PETTIS and PRIDEMORE. Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

1 **AN ACT to amend** 71.80 (18); and **to create** 71.738 (2m) of the statutes; **relating**
2 **to:** the timely filing of documents and payments with the Department of
3 Revenue related to the income tax and franchise tax.

Analysis by the Legislative Reference Bureau

Under current law, for the purpose of paying income and franchise taxes, documents and payments that must be provided to the Department of Revenue (DOR) are considered to be provided on time, if DOR receives the document or payment on or before the due date or, if mailed, the envelope containing the document or payment is correctly addressed and postmarked before midnight of the due date. Under this bill, a document or payment that otherwise would be considered to be provided on time to DOR except for an inadvertent error, is considered to be provided on time and not subject to any interest or penalties related to late filings. Under the bill, an inadvertent error includes a taxpayer directing DOR to credit the payment of taxes to one of the taxpayer's accounts for which taxes are not due.

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:

4 **SECTION 1.** 71.738 (2m) of the statutes is created to read:

