

**Notice Of Submittal Of Proposed Rules To
Wisconsin Legislative Council Rules Clearinghouse**

Revenue

Rule Submittal Date

On November 20, 2020, the Wisconsin Department of Revenue submitted a proposed rule to the Wisconsin Legislative Council Rules Clearinghouse.

The scope statement for this rule, SS 003-20, was approved by the Governor on January 24, 2020, published in Register No. 770A1 on February 3, 2020, and approved by the Secretary of Revenue on March 17, 2020.

Analysis

As enacted in 2017 Wisconsin Act 368, pass-through entities electing to pay Wisconsin tax on income at the entity level under sec. 71.21(6)(a) or 71.365(4m)(a), Wis. Stats., may claim a credit for net taxes paid by the entity on the same income taxable in another state as provided in sec. 71.07(7)(b)3., Wis. Stats. The proposed rule adds references to these laws, adds examples, and clarifies that a Wisconsin resident may not claim a credit for taxes paid by an electing pass-through entity. In addition, references to Wisconsin minimum tax are removed as minimum tax no longer applies for Wisconsin for taxable years beginning on or after January 1, 2019, pursuant to sec. 71.08(5), Wis. Stats., as created by 2017 Wisconsin Act 59.

Agency Procedure for Promulgation

A public hearing on the proposed rule is required and will be scheduled.

The Office of the Secretary is primarily responsible for the promulgation of the proposed rule.

Contact Information

If you have questions, please contact:

Jen Chadwick
Income, Sales and Excise Tax Division
Telephone: (608) 266-8253
E-mail: jennifer.chadwick@wisconsin.gov