



State of Wisconsin
2015 - 2016 LEGISLATURE

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**ASSEMBLY AMENDMENT 4,
TO ASSEMBLY BILL 486**

February 16, 2016 - Offered by Representative NEYLON.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: before that line insert:

3 **"SECTION 1b.** 16.295 (5) (c) 3. of the statutes is created to read:

4 16.295 (5) (c) 3. The total amount that may be invested under par. (b) 2. and
5 3. may not exceed \$15,000,000."

6 **2.** Page 1, line 5: after "(5)" insert "(b) 2. and 3."

7 **3.** Page 2, line 2: after "76.638" insert ", except the amount of the credit that
8 may be claimed is 50 percent of the claimant's investment paid to a fund manager
9 that the fund manager invests in a business certified under s. 238.15 (1) or s. 560.205
10 (1), 2009 stats. Funds invested under sub. (5) (b) 1. in venture capital funds may not
11 be used as the basis for claiming the credits".

12 **4.** Page 2, line 2: after that line insert:

13 **"SECTION 1d.** 71.07 (5b) (b) of the statutes is amended to read:

1 71.07 **(5b)** (b) *Filing claims.* 1. For taxable years beginning after December
2 31, 2004, subject to the limitations provided under this subsection and s. 238.15 or
3 s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as
4 a credit against the tax imposed under ss. 71.02 and 71.08, up to the amount of those
5 taxes, 25 percent of the claimant's investment paid to a fund manager that the fund
6 manager invests in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009
7 stats., or 50 percent of claimant's investment paid under s. 16.295 (10) to a fund
8 manager that the fund manager invests in a business certified under s. 238.15 (1) or
9 s. 560.205 (1), 2009 stats.

10 2. In the case of a partnership, limited liability company, or tax-option
11 corporation, the computation of the ~~25 percent~~ percentage limitation under subd. 1.
12 shall be determined at the entity level rather than the claimant level and may be
13 allocated among the claimants who make investments in the manner set forth in the
14 entity's organizational documents. The entity shall provide to the department of
15 revenue and to the department of commerce or the Wisconsin Economic
16 Development Corporation the names and tax identification numbers of the
17 claimants, the amounts of the credits allocated to the claimants, and the
18 computation of the allocations.

19 **SECTION 1e.** 71.28 (5b) (b) of the statutes is amended to read:

20 71.28 **(5b)** (b) *Filing claims.* 1. For taxable years beginning after December
21 31, 2004, subject to the limitations provided under this subsection and s. 238.15 or
22 s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as
23 a credit against the tax imposed under s. 71.23, up to the amount of those taxes, 25
24 percent of the claimant's investment paid to a fund manager that the fund manager
25 invests in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats., or 50

1 percent of claimant's investment paid under s. 16.295 (10) to a fund manager that
2 the fund manager invests in a business certified under s. 238.15 (1) or s. 560.205 (1),
3 2009 stats.

4 2. In the case of a partnership, limited liability company, or tax-option
5 corporation, the computation of the ~~25 percent~~ percentage limitation under subd. 1.
6 shall be determined at the entity level rather than the claimant level and may be
7 allocated among the claimants who make investments in the manner set forth in the
8 entity's organizational documents. The entity shall provide to the department of
9 revenue and to the department of commerce or the Wisconsin Economic
10 Development Corporation the names and tax identification numbers of the
11 claimants, the amounts of the credits allocated to the claimants, and the
12 computation of the allocations.

13 **SECTION 1f.** 71.47 (5b) (b) of the statutes is amended to read:

14 71.47 (5b) (b) *Filing claims.* 1. For taxable years beginning after December
15 31, 2004, subject to the limitations provided under this subsection and s. 238.15 or
16 s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as
17 a credit against the tax imposed under s. 71.43, up to the amount of those taxes, 25
18 percent of the claimant's investment paid to a fund manager that the fund manager
19 invests in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats., or 50
20 percent of claimant's investment paid under s. 16.295 (10) to a fund manager that
21 the fund manager invests in a business certified under s. 238.15 (1) or s. 560.205 (1),
22 2009 stats.

23 2. In the case of a partnership, limited liability company, or tax-option
24 corporation, the computation of the ~~25 percent~~ percentage limitation under subd. 1.
25 shall be determined at the entity level rather than the claimant level and may be

1 allocated among the claimants who make investments in the manner set forth in the
2 entity's organizational documents. The entity shall provide to the department of
3 revenue and to the department of commerce or the Wisconsin Economic
4 Development Corporation the names and tax identification numbers of the
5 claimants, the amounts of the credits allocated to the claimants, and the
6 computation of the allocations.

7 **SECTION 1g.** 76.638 (2) of the statutes is amended to read:

8 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,
9 subject to the limitations provided under this subsection and s. 238.15 or s. 560.205,
10 2009 stats., an insurer may claim as a credit against the fees imposed under s. 76.60,
11 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer's investment paid to a fund
12 manager that the fund manager invests in a business certified under s. 238.15 or s.
13 560.205 (1), 2009 stats., or 50 percent of insurer's investment paid under s. 16.295
14 (10) to a fund manager that the fund manager invests in a business certified under
15 s. 238.15 (1) or s. 560.205 (1), 2009 stats."

16 (END)