



1999 SENATE BILL 218

August 17, 1999 - Introduced by Senators DRZEWIECKI, ROESSLER, DARLING, HUELSMAN and LAZICH, cosponsored by Representatives HAHN, MUSSER, HUEBSCH, KELSO, KEDZIE, PLOUFF, JESKEWITZ, RYBA, STONE, GOETSCH, OWENS, SERATTI, LADWIG, FREESE, LASSA, PETROWSKI, HUNDERTMARK, SYKORA, AINSWORTH, SKINDRUD, NASS, UNDERHEIM, MEYERHOFER, WAUKAU, RHOADES and JENSEN. Referred to Joint survey committee on Tax Exemptions.

1 **AN ACT** *to amend* 71.05 (6) (b) 20. (intro.) and 71.07 (5) (a) 15.; and *to create*
2 71.05 (6) (b) 29. of the statutes; **relating to:** creating an individual income tax
3 subtract modification for amounts spent on medical insurance premiums by
4 certain individuals.

Analysis by the Legislative Reference Bureau

Under current law, there is an individual income tax deduction for 50% of the amount paid by a person for a medical care insurance policy that covers the person, his or her spouse and the person's dependents if the person's employer pays no amount of money toward the person's medical care insurance.

This bill creates an individual income tax deduction for 100% of the amount paid by an individual for a medical care insurance policy that covers the individual, his or her spouse and the individual's dependents if the individual, other than a self-employed person, has no employer or if the individual's employer pays no amount of money toward the individual's medical care insurance.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

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:

SENATE BILL 218**SECTION 1**

1 **SECTION 1.** 71.05 (6) (b) 20. (intro.) of the statutes is amended to read:

2 71.05 **(6)** (b) 20. (intro.) For taxable years beginning on or after January 1,
3 1995, and before January 1, 2000, an amount paid by a person who is the employe
4 of another person if the person's employer pays no amount of money toward the
5 person's medical care insurance, for medical care insurance for the person, his or her
6 spouse and the person's dependents, calculated as follows:

7 **SECTION 2.** 71.05 (6) (b) 29. of the statutes is created to read:

8 71.05 **(6)** (b) 29. For taxable years beginning after December 31, 1999, an
9 amount paid by an individual, other than a person to whom subd. 19. applies, who
10 has no employer or who is the employe of another person if the individual's employer
11 pays no amount of money toward the individual's medical care insurance, for medical
12 care insurance for the individual, his or her spouse and the individual's dependents,
13 calculated as follows:

14 a. One hundred percent of the amount paid by the individual for medical care
15 insurance. In this subdivision, "medical care insurance" means a medical care
16 insurance policy that covers the individual, his or her spouse and the individual's
17 dependents and provides surgical, medical, hospital, major medical or other health
18 service coverage, and includes payments made for medical care benefits under a
19 self-insured plan, but "medical care insurance" does not include hospital indemnity
20 policies or policies with ancillary benefits such as accident benefits or benefits for loss
21 of income resulting from a total or partial inability to work because of illness,
22 sickness or injury.

23 b. From the amount calculated under subd. 29. a., subtract the amounts
24 deducted from gross income for medical care insurance in the calculation of federal
25 adjusted gross income.

SENATE BILL 218

1 c. For an individual who is a nonresident or part-year resident of this state,
2 multiply the amount calculated under subd. 29. b., by a fraction the numerator of
3 which is the individual's wages, salary, tips, unearned income and net earnings from
4 a trade or business that are taxable by this state and the denominator of which is the
5 individual's total wages, salary, tips, unearned income and net earnings from a trade
6 or business. In this subd. 29. c., for married persons filing separately "wages, salary,
7 tips, unearned income and net earnings from a trade or business" means the separate
8 wages, salary, tips, unearned income and net earnings from a trade or business of
9 each spouse, and for married persons filing jointly "wages, salary, tips, unearned
10 income and net earnings from a trade or business" means the total wages, salary,
11 tips, unearned income and net earnings from a trade or business of both spouses.

12 d. Reduce the amount calculated under subd. 29. d. to the individual's
13 aggregate wages, salary, tips, unearned income and net earnings from a trade or
14 business that are taxable by this state.

15 **SECTION 3.** 71.07 (5) (a) 15. of the statutes is amended to read:

16 71.07 (5) (a) 15. The amount claimed as a deduction for medical care insurance
17 under section 213 of the Internal Revenue Code that is exempt from taxation under
18 s. 71.05 (6) (b) 17. to 20. and 29. and the amount claimed as a deduction for a
19 long-term care insurance policy under section 213 (d) (1) (D) of the Internal Revenue
20 Code, as defined in section 7702B (b) of the Internal Revenue Code that is exempt
21 from taxation under s. 71.05 (6) (b) 26.

22 **SECTION 4. Initial applicability.**

23 (1) This act first applies to taxable years beginning on January 1, 2000.

24 (END)