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State of Misconsin 2015 - 2016 LEGISLATURE

LRB-4125/1 ARG:amn

2015 ASSEMBLY BILL 732

January 15, 2016 – Introduced by Representatives Edming, R. Brooks, Czaja, Horlacher, Kremer, Krug, Kuglitsch, Kulp, T. Larson, Neylon and Schraa. Referred to Committee on Small Business Development.

AN ACT **relating to:** the fee for filing limited liability company articles of organization with the Department of Financial Institutions.

Analysis by the Legislative Reference Bureau

This bill creates, for student entrepreneurs, a one-year exemption to the \$130 initial filing fee for articles of organization to form a limited liability company. The fee exemption is available to students enrolled in four-year institutions and two-year colleges in the University of Wisconsin System, as well those enrolled in the University of Wisconsin-Extension and in technical colleges in this state. The exemption is available to these students who form a limited liability company as a business start-up in a field related to engineering, computer science, alternative energy research, biology, chemistry, physics, or other life science or physical science.

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. Nonstatutory provisions.
 - (1) Temporary exemption from LLC filing fee for certain business start-ups.
- (a) In this subsection, "student entrepreneur" means a student to whom all of the following apply:

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- 1. The student is enrolled in the University of Wisconsin System or in a technical college under chapter 38 of the statutes.
- 2. The student is an organizer of a limited liability company under section 183.0201 of the statutes or will be a member of the limited liability company upon its formation, and the limited liability company is being formed as a business start-up in a field related to engineering, computer science, alternative energy research, biology, chemistry, physics, or other life science or physical science.
- (b) Notwithstanding section 183.0114 (1) (a) and (3) of the statutes, from May 1, 2016, to May 1, 2017, the department of financial institutions may not collect a fee for filing articles of organization to form a limited liability company under chapter 183 of the statutes if all of the following apply:
- 1. Any member of the limited liability company, upon its formation, is a student entrepreneur.
- 2. If the limited liability company is formed by organizers under section 183.0201 of the statutes who will not become members of the limited liability company upon its formation, at least one organizer of the limited liability company is a student entrepreneur.

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