

**ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS**

DATE April 21, 2020 RESOLUTION # 1, 2, & 3--2020-21

Lock In of Resolution Nos. 1, 2, & 3--2020-21

MOTION:

Adopt and lock in Resolution Nos. 1, 2, & 3--2020-21.

MADE BY: Miller

SECONDED BY: Thomas

DST	NAME	AYE	NAY	PRES	ABSENT
1	Thompson			x	
2	Miller			x	
3	Renteria			x	
4	Patience			x	
5	Gabrielson			x	
6	Konetzke			x	
7	Hammen			x	
8	Nicholas Thyssen			x	
9	Krueger			x	
10	Lamers			x	
11	Fallona			x	
12	VACANT				x
13	Wegand			x	
14	Jeremy Thyssen			x	
15	Peterson			x	
16	Schroeder			x	
17	Croatt			x	
18	Spears			x	

DST	NAME	AYE	NAY	PRES	ABSENT
19	Marcks			x	
20	Thomas			x	
21	Travis Thyssen			x	
22	Hagen			x	
23	Klemp			x	
24	Iverson			x	
25	Nooyen			x	
26	Davidson				x
27	Culbertson			x	
28	Monfils			x	
29	Buchman			x	
30	Woodzicka			x	
31	Clegg			x	
32	VanderHeiden			x	
33	O'Connor-Schevers			x	
34	Rettler				x
35	Melchert			x	
36	Suprise			x	

AYE 0
 NAY 0
 PRESENT 33
 ABSENT 3
 TOTAL 36

APPROVED x
 DEFEATED

**ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS**

DATE April 21, 2020 RESOLUTION # 1, 2, & 3--2020-21

Reconsideration of Resolution Nos. 1, 2, & 3--2020-21

MOTION:

Reconsider Resolution Nos. 1, 2, & 3--2020-21 for the purpose of locking in.

MADE BY: Miller

SECONDED BY: Thomas

DST	NAME	AYE	NAY	PRES	ABSENT
1	Thompson			x	
2	Miller			x	
3	Renteria			x	
4	Patience			x	
5	Gabrielson			x	
6	Konetzke			x	
7	Hammen			x	
8	Nicholas Thyssen			x	
9	Krueger			x	
10	Lamers			x	
11	Fallona			x	
12	VACANT				x
13	Wegand			x	
14	Jeremy Thyssen			x	
15	Peterson			x	
16	Schroeder			x	
17	Croatt			x	
18	Spears			x	

DST	NAME	AYE	NAY	PRES	ABSENT
19	Marcks			x	
20	Thomas			x	
21	Travis Thyssen			x	
22	Hagen			x	
23	Klemp			x	
24	Iverson			x	
25	Nooyen			x	
26	Davidson				x
27	Culbertson			x	
28	Monfils			x	
29	Buchman			x	
30	Woodzicka			x	
31	Clegg			x	
32	VanderHeiden			x	
33	O'Connor-Schevers			x	
34	Rettler				x
35	Melchert			x	
36	Suprise			x	

AYE 0
 NAY 0
 PRESENT 33
 ABSENT 3
 TOTAL 36

APPROVED x
 DEFEATED

**ROLL CALL
OUTAGAMIE COUNTY BOARD OF SUPERVISORS**

DATE April 21, 2020 RESOLUTION # 2--2020-21

Approve support of pending legislation to allow DOR to spend \$10 million to compensate local taxing jurisdictions that were under paid in 2019 and return excess funds to DOR.

MOTION: Support pending legislation that would allow the Department of Revenue to spend \$10 million in order to compensate local taxing jurisdictions that were underpaid in 2019 as well as not requiring those counties that received overpayments in 2019 to be required to return the excess funds to the Department of Revenue.

MADE BY: Miller SECONDED BY: Thomas

DST	NAME	AYE	NAY	PRES	ABSENT
1	Thompson			x	
2	Miller			x	
3	Renteria			x	
4	Patience			x	
5	Gabrielson			x	
6	Konetzke			x	
7	Hammen			x	
8	Nicholas Thyssen			x	
9	Krueger			x	
10	Lamers			x	
11	Fallona			x	
12	VACANT				x
13	Wegand			x	
14	Jeremy Thyssen			x	
15	Peterson			x	
16	Schroeder			x	
17	Croatt			x	
18	Spears			x	

DST	NAME	AYE	NAY	PRES	ABSENT
19	Marcks			x	
20	Thomas			x	
21	Travis Thyssen			x	
22	Hagen			x	
23	Klemp			x	
24	Iverson			x	
25	Nooyen			x	
26	Davidson				x
27	Culbertson			x	
28	Monfils			x	
29	Buchman			x	
30	Woodzicka			x	
31	Clegg			x	
32	VanderHeiden			x	
33	O'Connor-Schevers			x	
34	Rettler				x
35	Melchert			x	
36	Suprise			x	

AYE 0
 NAY 0
 PRESENT 33
 ABSENT 3
 TOTAL 36

APPROVED x
 DEFEATED

RESOLUTION NO.: 2—2020-21

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 During the 2017-18 legislative session, Wisconsin's personal property tax was partially
2 repealed. In an attempt to offset reductions in local revenue to counties and other taxing
3 jurisdictions, the state approved a new appropriation to backfill lost revenue.
4

5 In 2018, the Wisconsin Department of Revenue (DOR) incorrectly calculated the amount
6 of exempt non-manufacturing machinery, tools and patterns, resulting in inaccurate
7 personal property aid payments in 2019.
8

9 As a result of the DOR error, county payments in 2019 were \$2.1 million more than they
10 should have been. While the 2020 payments will accurately reflect personal property tax
11 aid, DOR is required by a circuit court decision to correct the 2019 distribution by pulling
12 back overpayments in order to offset the 2019 underpayments made to counties,
13 municipalities, tax incremental districts, school districts, and special districts. The recoup
14 of overpayments would occur in 2021, with a notice to be sent to counties in August,
15 2020.
16

17 There is pending legislation to include a provision in order to allow the DOR to spend \$10
18 million to compensate local taxing jurisdictions that were underpaid in 2019. Under the
19 proposal, counties that received overpayments in 2019 would not be required to return the
20 excess funds to DOR.
21

22 NOW THEREFORE, the following resolution is presented to the County Board.

23 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
24 legislation that would allow the Department of Revenue to spend \$10 million in order to compensate
25 local taxing jurisdictions that were underpaid in 2019 as well as not requiring those counties that received
26 overpayments in 2019 to be required to return the excess funds to the Department of Revenue, and

27 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of
28 this resolution to the Outagamie County Lobbyist for distribution to the Outagamie County Legislators
29 and the Wisconsin Counties Association.

30 Dated this 21st day of April 2020

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Duly and officially adopted by the County Board on: April 21, 2020

Signed:  Board Chairperson  County Clerk

Approved: 4-23-27 Vetoed: _____

Signed:  County Executive



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4702/2
EKL:amn

2019 ASSEMBLY BILL 753

January 17, 2020 - Introduced by Representatives MACCO and WITKE, cosponsored by Senators MARKLEIN, KAPENGA and KOYENGA. Referred to Committee on Ways and Means.

1 **AN ACT to renumber and amend** 71.365 (4m) (d) 1.; **to amend** 71.29 (7) (b) and
2 71.29 (10) (a); and **to create** 71.29 (10) (d) and 71.365 (4m) (d) 1. a. and b. of the
3 statutes; **relating to:** modifications to the tax treatment of tax-option
4 corporations that elect to pay tax at the entity level.

Analysis by the Legislative Reference Bureau

This bill makes the following changes to the tax treatment of tax-option corporations that elect to pay income or franchise tax at the entity level:

1. The bill allows these corporations to exclude from tax 30 percent of the gains realized from the sale of assets held more than one year and the sale of all assets acquired from a decedent and 60 percent of the gains realized from the sale of farm assets held more than one year and the sale of all farm assets acquired from a decedent.

2. The bill limits the excess capital loss deduction for these corporations to \$500. As such, under the bill, an electing tax-option corporation with a net loss after netting capital gains and losses may use up to \$500 of the net loss to offset income. A loss in excess of \$500 may be carried forward to the next taxable year in which the corporation makes the election to pay tax at the entity level.

3. The bill provides that an exception from the general requirement to pay interest on the underpayment of estimated taxes for corporations whose Wisconsin net income is less than \$250,000 does not apply to these corporations.

4. The bill provides that these corporations, when making quarterly estimated tax payments, compute the amount due using the standards applicable to taxpayers

2019 - 2020 Legislature

- 2 -

LRB-4702/2

EKL:amn

ASSEMBLY BILL 753

with net income of less than \$250,000, regardless of the corporation's actual net income.

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:

1 **SECTION 1.** 71.29 (7) (b) of the statutes is amended to read:

2 71.29 (7) (b) The preceding taxable year was 12 months, the corporation or
3 virtually exempt entity had no liability under s. 71.125 or 71.23 (1) or (2) for that year
4 and, except for a corporation making an election under s. 71.365 (4m) (a), the
5 corporation or virtually exempt entity has a Wisconsin net income of less than
6 \$250,000 for the current taxable year.

7 **SECTION 2.** 71.29 (10) (a) of the statutes is amended to read:

8 71.29 (10) (a) Except as provided in par. pars. (c) and (d), for corporations or
9 virtually exempt entities that have Wisconsin net incomes of \$250,000 or more, the
10 amount of each installment required under sub. (8) is 25 percent of the amount under
11 par. (b).

12 **SECTION 3.** 71.29 (10) (d) of the statutes is created to read:

13 71.29 (10) (d) For a corporation making an election under s. 71.365 (4m) (a),
14 the amount of the installments required under sub. (8) shall be determined according
15 to s. 71.29 (9) (a).

16 **SECTION 4.** 71.365 (4m) (d) 1. of the statutes is renumbered 71.365 (4m) (d) 1.
17 (intro.) and amended to read:

18 71.365 (4m) (d) 1. (intro.) The net income of the tax-option corporation is
19 computed under s. 71.34 (1k), with the following modifications, and the situs of
20 income shall be determined as if the election was not made.:

2019 - 2020 Legislature

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LRB-4702/2

EKL:amn

ASSEMBLY BILL 753

SECTION 5

1 **SECTION 5.** 71.365 (4m) (d) 1. a. and b. of the statutes are created to read:

2 71.365 (4m) (d) 1. a. An adjustment shall be made so that the net capital loss,
3 after netting capital gains and capital losses to arrive at total capital gain or loss, is
4 offset against income only to the extent of \$500. Losses in excess of \$500 shall be
5 carried forward to the next taxable year for which an election is made under par. (a)
6 and offset against income up to the limit under this subd. 1. a. Losses shall be used
7 in the order in which they accrue.

8 b. The subtraction under s. 71.05 (6) (b) 9. or 9m. shall be allowed.

9 **SECTION 6. Initial applicability.**

10 (1) This act first applies to taxable years beginning on January 1 of the year
11 in which this subsection takes effect, except that if this subsection takes effect after
12 November 30, the act first applies to taxable years beginning on January 1 of the year
13 following the year in which this subsection takes effect.

14

(END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBa1392/1
JK&EKL:klm

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 753**

February 20, 2020 - Offered by Representatives TUSLER and STEFFEN.

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

2 **1.** Page 1, line 4: after "level" insert "and correction to the 2019 personal
3 property aid distribution".

4 **2.** Page 3, line 8: after that line insert:

5 **"SECTION 5m. Nonstatutory provisions.**

6 (1) PERSONAL PROPERTY AID DISTRIBUTION. Notwithstanding s. 79.08, if the
7 department of administration or department of revenue determines by August 15,
8 2020, that there was an overpayment or underpayment made in the certification by
9 the department of revenue for the 2019 personal property aid distribution under s.
10 79.096, the department of revenue shall correct any underpayments by increasing
11 the subsequent year's distribution, but no correction shall be made for
12 overpayments. Corrections under this subsection shall be made without interest.

2019 - 2020 Legislature

- 2 -

LRBa1392/1
JK&EKL:kdm

1 A taxing jurisdiction shall not include any corrections made under this subsection
2 in its levy or revenue limit determination.”.

3 **3.** Page 3, line 10: delete “This act first applies” and substitute “The treatment
4 of ss. 71.29 (7) (b) and (10) (a) and (d) and 71.365 (4m) (d) 1. and the creation of s.
5 71.365 (4m) (d) 1. a. and b. first apply”.

6 (END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5331/1
EKL:amn

2019 SENATE BILL 706

January 24, 2020 - Introduced by Senators MARKLEIN, KAPENGA and KOOYENGA, cosponsored by Representatives MACCO and WITTKÉ. Referred to Committee on Agriculture, Revenue and Financial Institutions.

1 **AN ACT to renumber and amend 71.365 (4m) (d) 1.; to amend 71.29 (7) (b) and**
2 **71.29 (10) (a); and to create 71.29 (10) (d) and 71.365 (4m) (d) 1. a. and b. of the**
3 **statutes; relating to: modifications to the tax treatment of tax-option**
4 **corporations that elect to pay tax at the entity level.**

Analysis by the Legislative Reference Bureau

This bill makes the following changes to the tax treatment of tax-option corporations that elect to pay income or franchise tax at the entity level:

1. The bill allows these corporations to exclude from tax 30 percent of the gains realized from the sale of assets held more than one year and the sale of all assets acquired from a decedent and 60 percent of the gains realized from the sale of farm assets held more than one year and the sale of all farm assets acquired from a decedent.

2. The bill limits the excess capital loss deduction for these corporations to \$500. As such, under the bill, an electing tax-option corporation with a net loss after netting capital gains and losses may use up to \$500 of the net loss to offset income. A loss in excess of \$500 may be carried forward to the next taxable year in which the corporation makes the election to pay tax at the entity level.

3. The bill provides that an exception from the general requirement to pay interest on the underpayment of estimated taxes for corporations whose Wisconsin net income is less than \$250,000 does not apply to these corporations.

4. The bill provides that these corporations, when making quarterly estimated tax payments, compute the amount due using the standards applicable to taxpayers

2019 - 2020 Legislature

- 2 -

LRB-5331/1
EKL:amn

SENATE BILL 706

with net income of less than \$250,000, regardless of the corporation's actual net income.

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:

1 **SECTION 1.** 71.29 (7) (b) of the statutes is amended to read:

2 71.29 (7) (b) The preceding taxable year was 12 months, the corporation or
3 virtually exempt entity had no liability under s. 71.125 or 71.23 (1) or (2) for that year
4 and, except for a corporation making an election under s. 71.365 (4m) (a), the
5 corporation or virtually exempt entity has a Wisconsin net income of less than
6 \$250,000 for the current taxable year.

7 **SECTION 2.** 71.29 (10) (a) of the statutes is amended to read:

8 71.29 (10) (a) Except as provided in ~~par. pars.~~ (c) and (d), for corporations or
9 virtually exempt entities that have Wisconsin net incomes of \$250,000 or more, the
10 amount of each installment required under sub. (8) is 25 percent of the amount under
11 par. (b).

12 **SECTION 3.** 71.29 (10) (d) of the statutes is created to read:

13 71.29 (10) (d) For a corporation making an election under s. 71.365 (4m) (a),
14 the amount of the installments required under sub. (8) shall be determined according
15 to s. 71.29 (9) (a).

16 **SECTION 4.** 71.365 (4m) (d) 1. of the statutes is renumbered 71.365 (4m) (d) 1.
17 (intro.) and amended to read:

18 71.365 (4m) (d) 1. (intro.) The net income of the tax-option corporation is
19 computed under s. 71.34 (1k), with the following modifications, and the situs of
20 income shall be determined as if the election was not made:

2019 - 2020 Legislature

- 3 -

LRB-5331/1

EKL:amn

SENATE BILL 706

SECTION 5

1 **SECTION 5.** 71.365 (4m) (d) 1. a. and b. of the statutes are created to read:
2 71.365 (4m) (d) 1. a. An adjustment shall be made so that the net capital loss,
3 after netting capital gains and capital losses to arrive at total capital gain or loss, is
4 offset against income only to the extent of \$500. Losses in excess of \$500 shall be
5 carried forward to the next taxable year for which an election is made under par. (a)
6 and offset against income up to the limit under this subd. 1. a. Losses shall be used
7 in the order in which they accrue.

8 b. The subtraction under s. 71.05 (6) (b) 9. or 9m. shall be allowed.

9 **SECTION 6. Initial applicability.**

10 (1) This act first applies to taxable years beginning on January 1 of the year
11 in which this subsection takes effect, except that if this subsection takes effect after
12 November 30, the act first applies to taxable years beginning on January 1 of the year
13 following the year in which this subsection takes effect.

14

(END)



HOWARD MARKLEIN

STATE SENATOR • 17TH SENATE DISTRICT

January 23, 2020
Assembly Committee on Ways and Means
Testimony on Assembly Bill 753

Good Morning!

Thank you Chair Macco and committee members for hearing Assembly Bill 753 (AB 753) that makes modifications to the tax treatment of tax-option corporations (S corporations) that elect to pay tax at the entity level.

Under current law, S corporations, partnerships, and limited liability companies (LLCs) are collectively referred to as pass-through entities (PTEs). 2017 Wisconsin Act 368 (Act 368) made changes to the tax treatment for PTEs that elect to be taxed at the entity level. Under Act 368, businesses may elect to be taxed at the entity level for taxable years beginning in 2018 for S corporations and for taxable years beginning in 2019 for all other PTEs. The different dates for when the changes would take effect was intentional in the legislation. However, there were some differences in tax treatment that were not intended. **AB 753 seeks to align the tax treatment for all PTEs that make the election to be taxed at the entity level.**

The Wisconsin Institute of Certified Public Accountants (WICPA) worked with the Wisconsin Department of Revenue (DOR) to ensure similar treatment for S corporations and partnerships that make the election to be taxed at the entity level. There are three main issues addressed by the bill: 1) capital gains exclusion; 2) excess capital loss deduction 3) interest for underpayment of estimated taxes.

Regarding the capital gains exclusion, the bill allows these corporations to exclude from tax 30 percent of the gains realized from the sale of assets held more than one year and the sale of all assets acquired from a decedent and 60 percent of the gains realized from the sale of farm assets held more than one year and the sale of all farm assets acquired from a decedent.

After netting capital gains and capital losses, a S corporation may use up to \$500 of the net loss to offset income. A loss in excess of \$500 may be carried forward to the next taxable year in which the corporation makes the election to pay tax at the entity level.

The remaining provision creates an exception from the requirement to pay interest on the underpayment of estimated taxes for corporations whose Wisconsin net income is less than \$250,000, and provides that these corporations, when making quarterly estimated tax payments,

compute the amount due using the standards applicable to taxpayers with net income of less than \$250,000, regardless of the corporation's actual net income.

This bill is supported by both WICPA and DOR.

Thank you again for hearing AB 753, and your timely action on this proposal.

County	2020 Personal Property Aid	2019 Personal Property Aid	Difference
ADAMS COUNTY	\$32,071.71	\$37,554.54	(\$5,482.83)
ASHLAND COUNTY	\$46,562.30	\$46,694.42	(\$132.12)
BARRON COUNTY	\$71,150.97	\$85,507.19	(\$14,356.22)
BAYFIELD COUNTY	\$12,031.78	\$12,299.28	(\$267.50)
BROWN COUNTY	\$595,621.36	\$720,295.33	(\$124,673.97)
BUFFALO COUNTY	\$24,169.38	\$23,996.17	\$173.21
BURNETT COUNTY	\$9,385.55	\$10,119.01	(\$733.46)
CALUMET COUNTY	\$79,556.49	\$97,102.75	(\$17,546.26)
CHIPPEWA COUNTY	\$131,721.09	\$161,809.69	(\$30,088.60)
CLARK COUNTY	\$135,186.79	\$154,340.78	(\$19,153.99)
COLUMBIA COUNTY	\$144,708.91	\$152,845.43	(\$8,136.52)
CRAWFORD COUNTY	\$28,866.76	\$66,945.68	(\$38,078.92)
DANE COUNTY	\$940,507.89	\$1,213,026.19	(\$272,518.30)
DODGE COUNTY	\$344,128.79	\$353,196.10	(\$9,067.31)
DOOR COUNTY	\$76,821.43	\$84,185.46	(\$7,364.03)
DOUGLAS COUNTY	\$127,931.27	\$146,950.90	(\$19,019.63)
DUNN COUNTY	\$251,176.08	\$263,626.37	(\$12,450.29)
EAU CLAIRE COUNTY	\$202,842.27	\$217,675.42	(\$14,833.15)
FLORENCE COUNTY	\$6,215.37	\$8,859.56	(\$2,644.19)
FOND DU LAC COUNTY	\$384,035.46	\$402,396.37	(\$18,360.91)
FOREST COUNTY	\$4,907.31	\$4,861.73	\$45.58
GRANT COUNTY	\$58,997.16	\$63,092.82	(\$4,095.66)
GREEN COUNTY	\$83,938.43	\$97,925.35	(\$13,986.92)
GREEN LAKE COUNTY	\$122,542.24	\$124,646.95	(\$2,104.71)
IOWA COUNTY	\$130,984.93	\$131,352.61	(\$367.68)
IRON COUNTY	\$7,305.30	\$7,189.56	\$115.74
JACKSON COUNTY	\$193,113.77	\$197,712.13	(\$4,598.36)
JEFFERSON COUNTY	\$120,116.32	\$137,399.42	(\$17,283.10)
JUNEAU COUNTY	\$30,812.02	\$35,821.61	(\$5,009.59)
KENOSHA COUNTY	\$504,574.99	\$950,274.54	(\$445,699.55)
KEWAUNEE COUNTY	\$67,637.63	\$70,026.86	(\$2,389.23)
LA CROSSE COUNTY	\$328,530.74	\$358,295.05	(\$29,764.31)
LAFAYETTE COUNTY	\$59,648.72	\$73,835.78	(\$14,187.06)
LANGLADE COUNTY	\$28,664.86	\$29,579.44	(\$914.58)
LINCOLN COUNTY	\$38,678.46	\$48,883.03	(\$10,204.57)
MANITOWOC COUNTY	\$174,402.94	\$187,160.20	(\$12,757.26)
MARATHON COUNTY	\$258,738.93	\$380,274.34	(\$121,535.41)
MARINETTE COUNTY	\$82,809.94	\$82,082.17	\$727.77
MARQUETTE COUNTY	\$31,909.23	\$32,455.12	(\$545.89)
MILWAUKEE COUNTY	\$1,499,034.12	\$1,616,781.44	(\$117,747.32)
MONROE COUNTY	\$139,312.26	\$160,980.36	(\$21,668.10)
OCONTO COUNTY	\$52,531.17	\$57,591.30	(\$5,060.13)
ONEIDA COUNTY	\$73,777.32	\$73,845.30	(\$67.98)
OUTAGAMIE COUNTY	\$529,394.03	\$568,298.73	(\$38,904.70)
OZAUKEE COUNTY	\$62,169.43	\$69,582.73	(\$7,413.30)
PEPIN COUNTY	\$38,102.72	\$39,286.55	(\$1,183.83)
PIERCE COUNTY	\$66,532.94	\$78,773.63	(\$12,240.69)

County	2020 Personal Property Aid	2019 Personal Property Aid	Difference
POLK COUNTY	\$70,809.44	\$90,454.75	(\$19,645.31)
PORTAGE COUNTY	\$173,271.82	\$210,328.32	(\$37,056.50)
PRICE COUNTY	\$19,974.16	\$19,290.06	\$684.10
RACINE COUNTY	\$349,571.58	\$362,169.20	(\$12,597.62)
RICHLAND COUNTY	\$18,783.88	\$23,647.05	(\$4,863.17)
ROCK COUNTY	\$388,438.06	\$610,605.66	(\$222,167.60)
RUSK COUNTY	\$29,633.12	\$27,111.89	\$2,521.23
ST CROIX COUNTY	\$139,418.95	\$153,497.12	(\$14,078.17)
SAUK COUNTY	\$215,540.60	\$266,018.98	(\$50,478.38)
SAWYER COUNTY	\$17,581.27	\$17,581.27	\$0.00
SHAWANO COUNTY	\$57,438.25	\$64,972.52	(\$7,534.27)
SHEBOYGAN COUNTY	\$243,596.70	\$264,923.18	(\$21,326.48)
TAYLOR COUNTY	\$136,051.25	\$155,841.50	(\$19,790.25)
TREMPEALEAU COUNTY	\$40,621.85	\$57,920.23	(\$17,298.38)
VERNON COUNTY	\$68,529.47	\$75,206.68	(\$6,677.21)
VILAS COUNTY	\$19,074.99	\$19,046.59	\$28.40
WALWORTH COUNTY	\$220,631.38	\$230,922.71	(\$10,291.33)
WASHBURN COUNTY	\$21,881.84	\$23,694.44	(\$1,812.60)
WASHINGTON COUNTY	\$161,555.62	\$188,790.50	(\$27,234.88)
WAUKESHA COUNTY	\$695,464.65	\$744,073.49	(\$48,608.84)
WAUPACA COUNTY	\$71,365.97	\$78,271.49	(\$6,905.52)
WAUSHARA COUNTY	\$55,867.23	\$59,700.98	(\$3,833.75)
WINNEBAGO COUNTY	\$338,029.18	\$372,616.74	(\$34,587.56)
WOOD COUNTY	\$272,398.42	\$308,140.91	(\$35,742.49)
MENOMINEE COUNTY	\$1,061.10	\$1,061.10	\$0.00
2020 State Totals	\$12,260,450.34	\$14,363,322.75	(\$2,102,872.41)

Wisconsin Legislative Council

AMENDMENT MEMO



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Contact: Scott Grosz, Principal Attorney

2019 Assembly Bill 753

Assembly Amendments 1 and 2

2019 ASSEMBLY BILL 753

2019 Assembly Bill 753 makes several changes to the tax treatment of tax option corporations that elect to pay income or franchise tax at the entity level including:

- Exclusion of 30 percent of gains realized from the sale of assets held for more than one year or from the sale of assets acquired from a decedent and 60 percent of gains realized from the sale of farm assets held for more than one year or from the sale of farm assets acquired from a decedent.
- Limiting deduction of net capital losses to \$500 per year.
- Providing that the exception from underpayment of estimated taxes for certain corporations does not apply to tax option corporations electing to pay tax at the entity level.
- Providing that tax option corporations electing to pay tax at the entity level are subject to the computation of estimated tax payments applicable to individual taxpayers with net income less than \$250,000.

Assembly Amendment 2

Assembly Amendment 2 directs the Department of Revenue to address errors in distribution of 2019 personal property aid to correct underpayments by increasing the subsequent year's distribution, but to make no reductions to the subsequent year's distribution for overpayments.

Assembly Amendment 3

Under **current law**, a person generally may not distribute mixed fertilizer in which the sum of the guarantees for nitrogen, available phosphate, and soluble potash totals less than 24 percent. **Assembly Amendment 3** creates an exception from this prohibition for a mixed fertilizer that contains solid or liquid digestates produced by an anaerobic digester.

BILL HISTORY

2019 Assembly Bill 753 was introduced by Representatives Macco and Wittke on January 17, 2020. On February 20, 2020, Representatives Tusler and Steffen offered Assembly Amendment 2, and Representative Krug offered Assembly Amendment 3. On the same day, the Assembly adopted Assembly Amendments 2 and 3, and passed Assembly Bill 753, on successive voice votes.

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