



# State of Wisconsin • DEPARTMENT OF REVENUE

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*Scott Walker*  
Governor

*Richard G. Chandler*  
Secretary of Revenue

March 13, 2012

Honorable Michael Ellis  
President State Senate  
Room 220 South State Capitol  
PO Box 7882  
Madison WI 53707-7882

Honorable Jeff Fitzgerald  
Speaker State Assembly  
Room 211 West State Capitol  
PO Box 8953  
Madison WI 53708-8953

Re: Clearinghouse Rule 12-006

Dear Senator Ellis and Representative Fitzgerald:

This is to notify you that the proposed rule order relating to pre-2009 net business loss carryforwards is in final draft form. The proposed rule order and Notice of Hearing were published in the Wisconsin Administrative Register on January 31, 2012. A public hearing was held on February 13, 2012.

Copies of the proposed rule order and Report are enclosed. A brief summary of the proposed rule order follows:

### **Summary of Proposed Rule Order**

This proposed rule prescribes the method that members of the same combined group must use to share net business losses with other members of the same commonly controlled group for net business losses incurred prior to January 1, 2009, and not fully used before January 1, 2012, for purposes of s. 71.255 (6) (bm), Stats. It also provides clarity regarding the 15 year and 20 year net business loss carryforwards for purposes of ss. 71.26 (4) (a) and (b) and 71.45 (4) (a) and (b), Stats.

Sincerely,

Richard G. Chandler  
Secretary of Revenue

RGC:DSK  
e:rules\Chapter 2 Committees – President Speaker

Enclosure