



State of Wisconsin
2021 - 2022 LEGISLATURE

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**SENATE AMENDMENT 2,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 172**

October 11, 2021 - Offered by Senator BERNIER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 15: after that line insert:

3 "6m. "Eligible basis" means the eligible basis determined under section 42 (d)
4 of the Internal Revenue Code."

5 **2.** Page 3, line 17: delete "adjusted" and substitute "eligible".

6 **3.** Page 4, line 6: on lines 6 and 9, delete "at least 61 percent" and substitute
7 "greater than 60 percent".

8 **4.** Page 4, line 12: delete "area median gross income" and substitute "the unit's
9 imputed income under s. 234.46 (4) (b)".

10 **5.** Page 5, line 21: delete that line and substitute "a credit is claimed under sub.
11 (8b) or s. 71.28 (8b), 71.47 (8b),".

1 **6.** Page 7, line 25: after that line insert:

2 “6m. “Eligible basis” means the eligible basis determined under section 42 (d)
3 of the Internal Revenue Code.”.

4 **7.** Page 8, line 2: delete “adjusted” and substitute “eligible”.

5 **8.** Page 8, line 15: on lines 15 and 18, delete “at least 61 percent” and substitute
6 “greater than 60 percent”.

7 **9.** Page 8, line 21: delete “area median gross income” and substitute “the unit’s
8 imputed income under s. 234.46 (4) (b)”.

9 **10.** Page 10, line 4: delete that line and substitute “a credit is claimed under
10 sub. (8b) or s. 71.07 (8b), 71.47 (8b),”.

11 **11.** Page 12, line 9: after that line insert:

12 “6m. “Eligible basis” means the eligible basis determined under section 42 (d)
13 of the Internal Revenue Code.”.

14 **12.** Page 12, line 11: delete “adjusted” and substitute “eligible”.

15 **13.** Page 12, line 24: delete “at least 61 percent” and substitute “greater than
16 60 percent”.

17 **14.** Page 13, line 2: delete “at least 61 percent” and substitute “greater than
18 60 percent”.

19 **15.** Page 13, line 5: delete “area median gross income” and substitute “the
20 unit’s imputed income under s. 234.46 (4) (b)”.

21 **16.** Page 14, line 13: delete that line and substitute “a credit is claimed under
22 sub. (8b) or s. 71.07 (8b), 71.28 (8b),”.

1 **17.** Page 17, line 6: on lines 6 and 9, delete “at least 61 percent” and substitute
2 “greater than 60 percent”.

3 **18.** Page 17, line 12: delete “area median gross income” and substitute “the
4 unit’s imputed income under s. 234.46 (4) (b)”.

5 **19.** Page 18, line 9: delete “s. 71.07 (8b), (9m), or (9r), 71.28 (6) or (8b), 71.47
6 (6) or (8b)” and substitute “s. 71.07 (8b), 71.28 (8b), 71.47 (8b)”.

7 **20.** Page 20, line 15: on lines 15 and 18, delete “at least 61 percent” and
8 substitute “greater than 60 percent”.

9 **21.** Page 20, line 21: delete “area median gross income” and substitute “the
10 unit’s imputed income under s. 234.46 (4) (b)”.

11 **22.** Page 21, line 9: after “period,” insert “which shall be proportionate to the
12 qualified basis, as defined in s. 71.07 (8f) (a) 7., of the qualified housing
13 development.”.

14 **23.** Page 22, line 5: before “The” insert “(a)”.

15 **24.** Page 22, line 7: delete “at least 61 percent” and substitute “greater than
16 60 percent”.

17 **25.** Page 22, line 14: after that line insert:

18 “(b) In the allocation plan, a designated imputed income limitation shall be
19 established for each qualified unit. The authority may not use the composition of
20 imputed income limitations as a scoring criteria. Each qualified unit’s designated
21 imputed income limitation shall be equal to greater than 60 percent but less than 70
22 percent, or equal to between 70 percent and 80 percent, between 80 percent and 90
23 percent, or between 90 percent and 100 percent, of area median gross income. The

1 authority shall require that a 3rd-party market assessment is utilized to
2 demonstrate market demand for each qualified unit.”.

3 **26.** Page 23, line 2: after that line insert:

4 “**(6m)** SHIFTS IN INCOME. (a) A qualified unit occupied by individuals whose
5 income falls to 60 percent or less of area median gross income after initial occupancy
6 shall continue to be considered a qualified unit for all purposes.

7 (b) A qualified unit occupied by individuals whose income rises above the unit’s
8 imputed income under sub. (4) (b) after initial occupancy shall continue to be
9 considered a qualified unit for all purposes if consistent with 26 USC 42 (g) (2) (D).”.

10 (END)