

Wisconsin Earned Income Credit Fact Sheet 1114

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The Wisconsin earned income credit is a special tax benefit for certain working individuals and families with at least one qualifying child. The earned income credit is refundable. This means that even workers who did not earn enough wages to have Wisconsin taxes withheld can receive the credit.

This fact sheet provides a general overview of the qualifications for claiming the credit, the credit computation, and the pre-refund review process. Nothing in this fact sheet replaces or changes any provisions of Wisconsin tax law, administrative rules, or court decisions.

Qualifications

To qualify for the Wisconsin earned income credit, you must meet all of the following requirements:

- You qualify for the federal earned income credit.
- You have at least one qualifying child. The federal definition of a "qualifying child" applies for Wisconsin purposes.
- You are a legal resident of Wisconsin all year.
- You file a joint return for the year, or as "head of household" if you are married.

Note: If you were married as of December 31, 2020, see the instructions for your federal return to determine if you qualify to file as head of household.

Additional information concerning the federal earned income credit is available from federal [Publication 596, Earned Income Credit \(EIC\)](#).

Credit Computation

The Wisconsin earned income credit is computed on the Wisconsin income tax return (Form 1 or 1NPR). It is based on a percentage of the federal earned income credit:

Number of Qualifying Children	Percentage of Federal Credit
0	No credit available
1	4%
2	11%
3 or more	34%

Pre-Refund Review

Each tax season, the Department of Revenue (DOR) conducts a pre-refund review of selected returns where the Wisconsin earned income credit is claimed. Based on more than 15 years of experience, DOR selects only those returns on which errors may be likely.

As part of the pre-refund review process, additional information may be requested. All of the information requested is necessary to complete the review of the Wisconsin earned income credit claimed. If none or only part of the information is provided, we may:

- (1) Deny your claim, or
- (2) Send another request for the missing information.

As a result of another request for missing information, there will be additional delays in issuing a refund.

Additional Information or Comments

- Visit the department's [website](#) for electronic versions of all Wisconsin tax forms and publications
- Email your questions or comments to DORIncome@wisconsin.gov
- Contact our Customer Service Bureau at (608) 266-2486

Applicable Laws and Rules

This document provides statements or interpretations of the following laws and regulations in effect as of December 21, 2020: Section 71.07 (9e), Wis. Stats.

Laws enacted and in effect after December 21, 2020, new administrative rules, and court decisions may change the interpretations in this document. Guidance issued prior to December 21, 2020, that is contrary to the information in this document is superseded by this document, pursuant to sec. 73.16(2)(a), Wis. Stats.

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