

WISCONSIN

FORM 5E

WISCONSIN DEPARTMENT
OF REVENUE
Post Office Box 8908
Madison, WI 53708-8908

ELECTION BY AN S CORPORATION NOT TO BE TREATED AS A TAX-OPTION CORPORATION

E Number of Shareholders	Name		A State and Year of Incorporation
			B Federal Employer I.D. Number
F Number of Shares Issued and Outstanding	Number and Street		C Seller's Permit or Use Tax Number
			D Wis. Employer I.D. (Withholding) Number
G First Taxable Year for Which This Election Is Effective	City	State	Zip Code

The undersigned, owning, in total, more than 50% of the issued and outstanding shares of the above S corporation on the date of this election, consent to have the corporation not be treated as a tax-option corporation for Wisconsin franchise or income tax purposes. This election will be effective for the above referenced taxable year and at least the next 4 taxable years for this corporation or any successor corporation. Each shareholder, in signing this election, declares that the information with respect to his or her name, address, social security number, and stock ownership has been examined and, to the best of his or her knowledge and belief, is true, correct, and complete.

Name and Address of Shareholder	Social Security Number	Stock Owned		Shareholder's Signature
		Number of Shares	Date Acquired	

I, the undersigned authorized officer of the corporation for which this election is made, have personally examined this election, including any accompanying schedules and statements, and declare that it is, to the best of my knowledge and belief, true, correct, and complete.

_____ Signature _____ Title _____ Date

FORM 5E INSTRUCTIONS

General Instructions

Purpose of Form — A corporation that is an S corporation for federal tax purposes uses Form 5E to elect not to be a tax-option (S) corporation for Wisconsin tax purposes.

How to Elect — The election not to be a tax-option corporation for Wisconsin requires the consent of persons who hold more than 50% of the shares of the tax-option (S) corporation on the day such an election is made.

When to Elect — The election must be made on or before the due date, or extended due date, of the first Wisconsin corporation franchise or income tax return affected by the election. The election is completed by the filing of a Wisconsin franchise or income tax return in accordance with the election.

The election not to be a tax-option corporation for Wisconsin tax purposes, once completed, is effective for the corporation and any successors for at least the next 4 taxable years after the taxable year to which the election first applies. After this 5-year period, the “opt-out” election may be revoked by filing Wisconsin Form 5R, Revocation of Election by an S Corporation Not to Be a Tax-Option Corporation.

Corporations that have elected out of tax-option status for Wisconsin must file a Wisconsin corporation franchise or income tax return, Form 4 or Form 5. Since these corporations file Form 1120S for federal purposes, special adjustments, which are explained in the Form 4 and Form 5 instructions, may be required to properly determine Wisconsin net income.

Specific Instructions

Enter the appropriate information in blocks A through G.

Enter, in the space provided, the name, address, and social security number of each shareholder who is signing the election. Also enter for each shareholder the number of shares owned and the date the stock was acquired. If the stock was acquired on more than one date, enter the last date on which stock was acquired by that shareholder. Each shareholder must sign in the space indicated.

If additional space is required, attach to this form a schedule containing the required information.

An authorized officer of the corporation must sign this form.