

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

ENROLLED

Committee Substitute for
SENATE BILL NO. 6

(By Mr.....)

PASSED *March 5* 1951

In Effect *from* Passage



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ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 6

[Passed March 5, 1951; in effect from passage.]

AN ACT to amend and reenact section four, article eleven, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to inheritance and transfer taxes.

Be it enacted by the Legislature of West Virginia:

That section four, article eleven, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

- Section 4. *Exemptions.*—(a) All property transferred
2 to the state or to any county, school district, or municipal
3 corporation thereof for public purposes shall be exempt
4 from taxation under this article.
- 5 (b) No transfer of one hundred dollars or less shall

6 be taxable under this article. For this purpose all
7 transfers from a decedent to the same transferee shall
8 be treated as a unit.

9 (c) In computing the tax upon property transferred
10 to a widow or a widower of a deceased person, an ex-
11 emption of fifteen thousand dollars shall be allowed.

12 (d) In computing the tax upon property transferred
13 to the father, mother, child or stepchild of the decedent
14 there shall be allowed an exemption of five thousand dol-
15 lars; from property transferred to a grandchild of the de-
16 cedent there shall be allowed an exemption of twenty-
17 five hundred dollars.

18 (e) There shall be exempt from taxation under this
19 article all property transferred to a person or corporation,
20 foreign or domestic, in trust or for use solely for educa-
21 tional, literary, scientific, religious or charitable pur-
22 poses: *Provided, however,* That the property so trans-
23 ferred for the purposes herein mentioned and the rentals,
24 profits, and proceeds thereof, are used exclusively in this
25 state, or for the sole benefit of persons domiciled in this
26 state, whether used within or without said state, and

27 provided that such use or uses for the purposes aforesaid
28 shall be evidenced by:

29 (1) Specific provision of a will or other instrument of
30 transfer requiring such use for such purposes; or

31 (2) Transfer to an institution, association, or orga-
32 nized group of persons, corporate or otherwise, or for
33 their use, and whose purposes and activities are devoted
34 exclusively to one or more of the purposes aforesaid; or

35 (3) An agreement with the tax commissioner, satis-
36 factory to him, executed by the trustee or other fiduciary,
37 or beneficiary named in any will or writing that all of the
38 property, rentals, profits, and proceeds received by it un-
39 der the will or other instrument of transfer for one or more
40 of the purposes aforesaid, will be used exclusively for the
41 use and benefit of persons domiciled within the state, or
42 exclusively within this state.

43 This amendment shall apply to all future devises, be-
44 quests, and gifts for such purposes, and shall be retroac-
45 tive and apply to all past devises, bequests, and gifts for
46 such purposes, wherein final payment of transfer or in-
47 heritance taxes has not been made to the State of West
48 Virginia.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Handwritten Signature]
Chairman Senate Committee

[Handwritten Signature]
Chairman House Committee

Originated in the Senate

Takes effect *[Handwritten]* passage.

[Handwritten Signature]
Clerk of the Senate

[Handwritten Signature]
Clerk of the House of Delegates

[Handwritten Signature]
President of the Senate

[Handwritten Signature]
Speaker House of Delegates

The within *APPROVED* this the *8th* day of *MARCH*, 1951.

[Handwritten Signature]
Governor.



Filed in the Office of the Secretary of State of West Virginia

MAR 8 1951
D. PITT O'BRIEN,
SECRETARY OF STATE