WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED
SENATE BILL NO. 93

(By Mr. Cassen, Mr. President, and Mr. McCourt)

PASSED March 13, 1965

In Effect 90 days from Passage

# 93

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65
AN ACT to amend and reenact section eighty, article twelve, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to license tax on foreign corporations.

Be it enacted by the Legislature of West Virginia:

That section eighty, article twelve, 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 80. License Tax on Foreign Corporations.—Every foreign corporation which has qualified to hold property or to do business in this state shall make a report to the auditor annually in the third month preceding the beginning of the license tax year, in which report shall be set out: (a) The name of each corporation, the name
of the state or country by which incorporated, the date of the incorporation, the date of the certificate of the secretary of state authorizing it to do business in this state, the place of its principal office, the names and post office addresses of its president, secretary and its officers, if any, charged with the duty of making returns of its property for taxation and the name and post office address of its attorney of record in this state; (b) the number of shares of its authorized capital stock having a par value and the par value of each share, and the number of its issued and outstanding shares and the par value of each share; (c) the number of shares of its authorized capital stock having no par value, the number of shares of such stock authorized to be issued and the considerations fixed for the issue of each share of the same by its charter or board of directors, and the number of shares thereof issued and outstanding; (d) the value of the property owned and used by such corporation within this state, where situate, of what it consists, and the number of acres of land it holds in this state, and the value of its property owned and used without this state; and (e) the proportion of
its capital stock which is represented by property owned
and used in the state of West Virginia. Such report shall
be verified by the affidavit of the president, secretary or
other executive officers of such corporation.

It shall be the duty of the auditor to assess and fix the
license tax of such corporation according to the propor-
tion of its issued and outstanding capital stock which is
represented by its property owned and used in this state,
which license tax shall be at the rate prescribed in sec-
tion seventy-eight of this article, plus seventy-five per
cent of such tax: Provided, That no such corporation shall
pay an annual license tax of less than two hundred fifty
dollars, which shall be in addition to the fee of the auditor
as statutory attorney in fact. The auditor may in any case
require such additional information as he may deem nec-
essary to enable him to assess and fix the just amount of
license tax of such corporation; and it shall be his duty
to notify every such corporation of the amount so assessed
by him and it shall be the duty of the corporation to pay
the same to the auditor of the state within thirty days
thereafter, and if it fail to do so it shall be liable to the
penalties prescribed in sections eighty-six and eighty-seven of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

C. Ray Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect Ninety days from Passage.

J. M. Bunn
Clerk of the Senate

O. K. Lambeshwige
Clerk of the House of Delegates

Howard W. Baxson
President of the Senate

H. Thomas Johnson
Speaker House of Delegates

The within approved this the 18th day of March, 1965.

Herbert O. Simpich
Governor