

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 93

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

PASSED March 13, 1965

In Effect Thirty days from Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-18-65

#93

ENROLLED

Senate Bill No. 93

(By MR. CARSON, MR. PRESIDENT, and MR. McCOURT)

[Passed March 13, 1965; in effect ninety days from passage.]

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

7 of the state or country by which incorporated, the date
8 of the incorporation, the date of the certificate of the
9 secretary of state authorizing it to do business in this
10 state, the place of its principal office, the names and post
11 office addresses of its president, secretary and its officers,
12 if any, charged with the duty of making returns of its
13 property for taxation and the name and post office address
14 of its attorney of record in this state; (b) the number of
15 shares of its authorized capital stock having a par value
16 and the par value of each share, and the number of its
17 issued and outstanding shares and the par value of each
18 share; (c) the number of shares of its authorized capital
19 stock having no par value, the number of shares of such
20 stock authorized to be issued and the considerations fixed
21 for the issue of each share of the same by its charter or
22 board of directors, and the number of shares thereof issued
23 and outstanding; (d) the value of the property owned and
24 used by such corporation within this state, where situate,
25 of what it consists, and the number of acres of land it
26 holds in this state, and the value of its property owned
27 and used without this state; and (e) the proportion of

28 its capital stock which is represented by property owned
29 and used in the state of West Virginia. Such report shall
30 be verified by the affidavit of the president, secretary or
31 other executive officers of such corporation.

32 It shall be the duty of the auditor to assess and fix the
33 license tax of such corporation according to the propor-
34 tion of its issued and outstanding capital stock which is
35 represented by its property owned and used in this state,
36 which license tax shall be at the rate prescribed in sec-
37 tion seventy-eight of this article, plus seventy-five per
38 cent of such tax: *Provided*, That no such corporation shall
39 pay an annual license tax of less than two hundred fifty
40 dollars, which shall be in addition to the fee of the auditor
41 as statutory attorney in fact. The auditor may in any case
42 require such additional information as he may deem nec-
43 essary to enable him to assess and fix the just amount of
44 license tax of such corporation; and it shall be his duty
45 to notify every such corporation of the amount so assessed
46 by him and it shall be the duty of the corporation to pay
47 the same to the auditor of the state within thirty days
48 thereafter, and if it fail to do so it shall be liable to the

49 penalties prescribed in sections eighty-six and eighty-
50 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 *thirty days from* Passage.

Thomas M. Meyer

Clerk of the Senate

A. B. Blankenship

Clerk of the House of Delegates

Harold G. Hanson

President of the Senate

H. Laban White

Speaker House of Delegates

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

Hubert C. Smith

Governor

