WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED

HOUSE BILL No. 908

(By Mr. Boransky and Mr. Grewe)

PASSED    February 20, 1967

In Effect    from    Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-2-67
AN ACT to amend and reenact section three, article thirteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to exemptions to the business and occupation tax and providing exceptions to said exemptions.

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 13. BUSINESS AND OCCUPATION TAX.


1. There shall be an exemption in every case of fifty two dollars in amount of tax computed under the provisions
of this article. A person exercising a privilege taxable hereunder for a fractional part of a tax year shall be entitled to an exemption of the sum bearing the proportion to fifty dollars that the period of time the privilege is exercised bears to a whole year. Only one exemption shall be allowed to any one person, whether he exercises one or more privileges taxable hereunder.

The provisions of the article shall not apply to: (a) Insurance companies which pay the state of West Virginia a tax upon premiums: Provided, however, That said exemption shall not extend to that part of the gross income of insurance companies which is received for the use of real property, other than property in which any such company maintains its office or offices, in this state, whether such income be in the form of rentals or royalties; (b) persons engaged in the business of banking: Provided, further, That said exemptions shall not extend to that part of the gross income of such persons which is received for the use of real property owned, other than the banking house or building in which the business of the bank is transacted, whether such income be in the form of
rentals or royalties; (c) nonprofit cemetery companies organized and operated for the exclusive benefit of their members; (d) fraternal societies, organizations and associations organized and operated for the exclusive benefit of their members and not for profit: Provided, further, that said exemption shall not extend to that part of the gross income arising from the sale of alcoholic liquor, food and related services, of such fraternal societies, organizations and associations which are licensed as private clubs under the provisions of article seven, chapter sixty of this code; (e) corporations, associations and societies organized and operated exclusively for religious or charitable purposes; (f) production credit association, organized under the provisions of the federal "Farm Credit Act of one thousand nine hundred thirty-three": Provided, further, That the exemptions of this section shall not apply to corporations or cooperative associations organized under the provisions of article four, chapter nineteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended; (g) building and loan associations and federal savings and loan associations;
(h) persons engaged in conducting the business of industrial loans under authority granted them by article seven, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one: Provided, further, that said exemption shall not extend to that part of the gross income of such persons which is received from the use of real property owned, other than the business house or building in which the business of the industrial loan company is transacted, whether such income be in the form of rentals or royalties.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tomson
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the House.

Takes effect from passage.

Howard Webster
Clerk of the Senate

C A Blankenship
Clerk of the House of Delegates

Howard E. Carver
President of the Senate

W. Lackey White
Speaker House of Delegates

The within approved this the 1st day of March, 1967.

Herbert C. Smith
Governor
PRESENTED TO THE
GOVERNOR

Date 2-24-67
Time 1:45 P.M.