WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1968

ENROLLED

SENATE BILL NO. 116

(By Mr. _____ and Mr. _____)

PASSED February 6, 1968

In Effect Passage

FILED IN THE OFFICE
ROBERT O. BAILEY
SECRETARY OF STATE
THIS DATE 2-16-68
ENROLLED

Senate Bill No. 116

(By MR. CARSON, MR. PRESIDENT, AND MR. MCCOURT)

[Passed February 6, 1968; in effect from passage.]

AN ACT to amend and reenact section five, article twenty-four, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the exemption from the corporation net income tax act of corporations exempt from federal income tax and insurance companies paying a tax on premiums to the state.

Be it enacted by the Legislature of West Virginia:

That section five, article twenty-four, 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 24. CORPORATION NET INCOME TAX.

§11-24-5. Corporations exempt from tax.

1 The following corporations shall be exempt from the
2 tax imposed by this article to the extent provided in this
3 section:

4 (a) Corporations which by reason of their purposes or
5 activities are exempt from federal income tax: Provided,
6 That this exemption shall not apply to the unrelated busi-
7 ness income, as defined in the internal revenue code, of
8 any such corporation if such income is subject to federal
9 income tax.
10 (b) Banks, banking associations, trust companies,
11 building and loan associations, and savings and loan asso-
12 ciations.
13 (c) Insurance companies which pay this state a tax
14 upon premiums.
15 (d) Production credit associations organized under the
16 provisions of the federal “Farm Credit Act of 1933”:
17 Provided, That this exemption shall not apply to corpora-
18 tions or associations organized under the provisions of
19 article four, chapter nineteen of this code.
(e) Corporations electing to be taxed under subchapter S of the Internal Revenue Code of one thousand nine hundred fifty-four, as amended.

(f) Trusts established pursuant to section one hundred eighty-six, chapter seven, title twenty-nine of the code of the laws of the United States (enacted as section three hundred two (c) of the labor management relations act, one thousand nine hundred forty-seven), as amended prior to the first day of January, one thousand nine hundred sixty-seven.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tampas  
Chairman Senate Committee

Clayton E. Davidson  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Jefferson Heyer  
Clerk of the Senate

C. Blankenship  
Clerk of the House of Delegates

Herman W. Carson  
President of the Senate

H. Lehman White  
Speaker House of Delegates

The within approved this the 1st day of February, 1968.

Herbert C. Smith  
Governor