

No: 3189

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987

— ● —

# ENROLLED

HOUSE BILL No. 3189

(By Delegate Harley)

— ● —

Passed March 12, 1987

In Effect from Passage

**ENROLLED**  
**H. B. 3189**

(By DELEGATE FARLEY)

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[Passed March 12, 1987; in effect from passage.]

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AN ACT to amend and reenact section three, article twenty-four, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended; relating to the corporation net income tax; providing for updating the meaning of certain terms used in such act to conform with the meaning for federal tax purposes and making such updating retroactive to taxable years beginning after the thirty-first day of December, one thousand nine hundred eighty-five.

*Be it enacted by the Legislature of West Virginia:*

That section three, 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.**

**§11-24-3. Meaning of terms; general rule.**

1       (a) Any term used in this article shall have the same  
2       meaning as when used in a comparable context in the  
3       laws of the United States relating to income taxes,  
4       unless a different meaning is clearly required. Any  
5       reference in this article to the laws of the United States  
6       shall mean the provisions of the Internal Revenue Code  
7       of 1986, as amended, and such other provisions of the  
8       laws of the United States as relate to the determination  
9       of income for federal income tax purposes. All amend-  
10      ments made to the laws of the United States effective

11 prior to the first day of January, one thousand nine  
12 hundred eighty-seven, shall be given effect in determin-  
13 ing the taxes imposed by this article for any taxable  
14 year beginning the first day of January, one thousand  
15 nine hundred eighty-six and or thereafter, but no  
16 amendment to the laws of the United States effective on  
17 or after the first day of January, one thousand nine  
18 hundred eighty-seven shall be given effect.

19 (b) The term "Internal Revenue Code of 1986" means  
20 the Internal Revenue Code of the United States enacted  
21 by the "Federal Tax Reform Act of 1986" and includes  
22 the provisions of law formerly known as the Internal  
23 Revenue Code of 1954, as amended and in effect when  
24 the "Federal Tax Reform Act of 1986" was enacted, that  
25 were not amended or repealed by the "Federal Tax  
26 Reform Act of 1986." Except when inappropriate, any  
27 references in any law, executive order, or other  
28 document:

29 (1) To the Internal Revenue Code of 1954 shall include  
30 reference to the Internal Revenue Code of 1986, and

31 (2) To the Internal Revenue Code of 1986 shall include  
32 a reference to the provisions of law formerly known as  
33 the Internal Revenue Code of 1954.

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

*Bruce O. Williams*  
Chairman Senate Committee

*Bernard V. Kelly*  
Chairman House Committee

Originating in the House.

Takes effect from passage.

*Todd C. Willis*  
Clerk of the Senate

*Donald L. Hoopp*  
Clerk of the House of Delegates

*Sanford*  
President of the Senate

*W. H. C. C.*  
Speaker of the House of Delegates

The within *approved* this the *30th*  
*March*  
day of \_\_\_\_\_, 1987.

*Arthur D. Francis, Jr.*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/25/87

Time 5:04 p.m.

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