

SB 2005

FILED

2006 NOV 30 AM 10: 39

OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Second Extraordinary Session, 2006

ENROLLED

Senate Bill No. 2005

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND SPROUSE,
BY REQUEST OF THE EXECUTIVE)

[Passed November 14, 2006; in effect ninety days from passage.]

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Senate Bill No. 2005

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND SPROUSE,
BY REQUEST OF THE EXECUTIVE)

[Passed November 13, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §11-24-4 of the Code of West Virginia, 1931, as amended, relating to reducing the rate of corporation net income tax.

Be it enacted by the Legislature of West Virginia:

That §11-24-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 24. CORPORATION NET INCOME TAX.

§11-24-4. Imposition of primary tax and rate thereof; effective and termination dates.

1 *Primary tax. —*

2 (1) In the case of taxable periods beginning after the
3 thirtieth day of June, one thousand nine hundred sixty-
4 seven, and ending prior to the first day of January, one
5 thousand nine hundred eighty-three, a tax is hereby
6 imposed for each taxable year at the rate of six percent
7 per annum on the West Virginia taxable income of
8 every domestic or foreign corporation engaging in
9 business in this state or deriving income from property,
10 activity or other sources in this state, except
11 corporations exempt under section five.

12 (2) In the case of taxable periods beginning on or after
13 the first day of January, one thousand nine hundred
14 eighty-three, and ending prior to the first day of July,
15 one thousand nine hundred eighty-seven, a tax is
16 hereby imposed for each taxable year on the West
17 Virginia taxable income of every domestic or foreign
18 corporation engaging in business in this state or
19 deriving income from property, activity or other sources
20 in this state, except corporations exempt under section
21 five of this article, and any banks, banking associations
22 or corporations, trust companies, building and loan
23 associations, and savings and loan associations, at the
24 rates which follow:

25 (A) On taxable income not in excess of fifty thousand
26 dollars, the rate of six percent; and

27 (B) On taxable income in excess of fifty thousand
28 dollars, the rate of seven percent.

29 (3) In the case of taxable periods beginning on or after
30 the first day of July, one thousand nine hundred eighty-
31 seven, a tax is hereby imposed for each taxable year on
32 the West Virginia taxable income of every domestic or
33 foreign corporation engaging in business in this state or
34 deriving income from property, activity or other sources
35 in this state, except corporations exempt under section
36 five of this article, at the rate of nine and three-quarters

37 percent. Beginning the first day of July, one thousand
38 nine hundred eighty-eight, and on each first day of July
39 thereafter for four successive calendar years, the rate
40 shall be reduced by fifteen one hundredths of one
41 percent per year, with such rate to be nine percent on
42 and after the first day of July, one thousand nine
43 hundred ninety-two.

44 (4) In the case of taxable periods beginning on or after
45 the first day of January, two thousand seven, a tax is
46 hereby imposed for each taxable year on the West
47 Virginia taxable income of every domestic or foreign
48 corporation engaging in business in this state or
49 deriving income from property, activity or other sources
50 in this state, except corporations exempt under section
51 five of this article, at the rate of eight and three-
52 quarters percent.

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

Sand White
.....
Chairman Senate Committee

R. Ben
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Daniel Ekbers
.....
Clerk of the Senate

Gregg A. Sear
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

John
.....
Speaker House of Delegates

The within *is* *approved* this
the *30th* Day of *November* , 2006.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

NOV 29 2006

Time 10:30am