

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1080 Session of
2019

INTRODUCED BY MAKO, PEIFER, BERNSTINE, DIAMOND, DUNBAR, GREINER,
HELM, IRVIN, KAUFER, MARSHALL, MILLARD, MOUL, PYLE, ROTHMAN,
RYAN AND STAATS, APRIL 8, 2019

REFERRED TO COMMITTEE ON FINANCE, APRIL 8, 2019

AN ACT

1 Repealing the act of April 20, 1927 (P.L.311, No.177), entitled
2 "An act providing for a more equitable method of assessing
3 capital stock tax against corporations, limited partnerships,
4 joint stock associations, and companies, in certain cases."

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The act of April 20, 1927 (P.L.311, No.177),
8 entitled "An act providing for a more equitable method of
9 assessing capital stock tax against corporations, limited
10 partnerships, joint stock associations, and companies, in
11 certain cases," is repealed:

12 [AN ACT

13 Providing for a more equitable method of assessing capital stock
14 tax against corporations, limited partnerships, joint stock
15 associations, and companies, in certain cases.

16 Section 1. Be it enacted, &c., That whenever any
17 corporation, limited partnership, joint-stock association, or
18 company, incorporated or formed under the laws of this

1 Commonwealth, and liable to the payment of tax upon its capital
2 stock, or specifically exempted therefrom under the laws of this
3 Commonwealth, shall own, either directly or through subsidiary
4 or sub-subsidiary corporations, a majority of the total issued
5 and outstanding shares of voting stock of any corporation,
6 limited partnership, joint-stock association or company, then,
7 in such cases, so much of the value of all shares of stock, so
8 owned in such other corporation, limited partnership, joint-
9 stock association, or company, as represents property or assets
10 located or having a legal situs without this Commonwealth, shall
11 not be liable to taxation, under the laws of this Commonwealth
12 providing for the taxation of capital stock of corporations,
13 limited partnerships, joint-stock associations, and companies,
14 but shall be excluded in determining the value of the capital
15 stock of such owning company for purposes of taxation.

16 Section 2. In order to enable the Department of Revenue to
17 carry out the intent of this act, all corporations, limited
18 partnerships, joint-stock associations, and companies shall
19 file, with their annual report, a statement giving such
20 information as the Department of Revenue shall require.

21 Section 3. The provisions of this act shall be applicable to
22 the settlements of capital stock taxes for the year ending the
23 thirty-first day of December, one thousand nine hundred and
24 thirty-one, and thereafter, and for any fiscal year ending
25 during the year one thousand nine hundred and thirty-one, and
26 thereafter.]

27 Section 2. This act shall take effect in 60 days.