

1 **H. B. 2956**

2  
3 (By Delegates White and D. Campbell)

4 (Requested by the Division of Tax)

5 [Introduced February 1, 2011; referred to the  
6 Committee on Finance.]

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10 A BILL to amend and reenact §11-24-3b of the Code of West Virginia,  
11 1931, as amended, relating to updating the list of  
12 jurisdictions identified as tax havens.

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

14 That §11-24-3b of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 24. CORPORATION NET INCOME TAX.**

17 **§11-24-3b. General meaning of definition of the term tax haven for**  
18 **specified jurisdictions.**

19 (a) *General.* -- For purposes of this article and article  
20 twenty-three of this chapter, a jurisdiction that, for a particular  
21 tax year in question is identified by the Organization for Economic  
22 Cooperation and Development as a tax haven or as having a harmful  
23 preferential tax regime means and includes any and all  
24 jurisdictions so identified as of the most recent list or

1 compilation of jurisdictions issued, published or adopted by the  
2 Organization for Economic Cooperation and Development on or before  
3 the effective date of this section: Provided, That all amendments  
4 made to the most recent list or compilation of jurisdictions  
5 identified as a tax haven or as having a harmful preferential tax  
6 regime that were issued, published or adopted by the Organization  
7 for Economic Cooperation and Development after March 8, 2008, but  
8 prior to January 1, 2011, shall be given effect in determining  
9 whether a jurisdiction is a tax haven as that term is defined in  
10 section three of this article.

11 (b) *Effective date.* -- This section as enacted in ~~the year~~  
12 2008 ~~shall be~~ is effective on passage: Provided, That the  
13 amendment to this section enacted in 2011 applies retroactively to  
14 March 8, 2008, and remains effective until this section is either  
15 amended or repealed.

NOTE: The purpose of this bill is to update the list of jurisdictions identified as being tax havens.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.