

ENROLLED

Senate Bill No. 371

(BY SENATORS PREZIOSO AND D. FACEMIRE)

[Passed March 10, 2011; in effect from passage.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 24. CORPORATION NET INCOME TAX.

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

1 (a) *General.* — For purposes of this article and article
2 twenty-three of this chapter, a jurisdiction that, for a
3 particular tax year in question is identified by the Organiza-
4 tion for Economic Cooperation and Development as a tax
5 haven or as having a harmful preferential tax regime means
6 and includes any and all jurisdictions so identified as of the
7 most recent list or compilation of jurisdictions issued,
8 published or adopted by the Organization for Economic
9 Cooperation and Development on or before the effective date
10 of this section: *Provided*, That all amendments made to the
11 most recent list or compilation of jurisdictions identified as

12 a tax haven or as having a harmful preferential tax regime
13 that were issued, published or adopted by the Organization
14 for Economic Cooperation and Development after March 8,
15 2008, but prior to January 1, 2011, shall be given effect in
16 determining whether a jurisdiction is a tax haven as that
17 term is defined in section three of this article.

18 (b) *Effective date.* — This section as enacted in 2008 is
19 effective on passage: *Provided*, That the amendment to this
20 section enacted in 2011 applies retroactively to March 8,
21 2008, and remains effective until this section is either
22 amended or repealed.

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

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Chairman Senate Committee

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Chairman House Committee

Originated in the Senate.

In effect from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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Acting President of the Senate

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Speaker of the House of Delegates

The within this the
Day of, 2011.

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Governor