

received. Any telegram or telephonic authorization purporting to have been sent by a person authorized to give consent shall be conclusively presumed to have been sent by such person. If two or more persons entitled to authorize postmortem examination assume responsibility for burial, the written authorization of one is sufficient.

Section 3. The provisions of this act do not apply to postmortem examinations performed under the authority of statutes pertaining to the coroner's office or the office of postmortem examinations. It shall be applicable in cases of the bodies of honorably discharged soldiers, sailors, marines or airmen of the United States or of the Militia of the State of Pennsylvania, or the bodies of women who have served the United States in military activities, if authorization for a postmortem examination is granted in accordance with this act. In such cases the bodies shall be buried in accordance with the provisions of existing Federal law. If no person is available who is entitled to authorize a postmortem examination on a veteran's body, the body shall not be subjected to postmortem study and shall be buried in accordance with the provisions of existing Federal law.

Section 4. A dead body remaining unclaimed for burial at the claimant's expense, thirty-six hours after death, falls under the jurisdiction of the Anatomical Board of the State of Pennsylvania in accord with an existing State law.

Jurisdiction of  
Anatomical  
Board.

APPROVED—The 24th day of May, A. D. 1956.

GEORGE M. LEADER

No. 576

AN ACT

Amending the act of June one, one thousand eight hundred eighty-nine (Pamphlet Laws 420), entitled "A further supplement, to an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine,'" requiring additional reports, and changing the due date of certain payments of capital stock tax and franchise tax, and further providing for the computation and payment of the tax by domestic corporations, joint stock associations, limited partnerships and companies.

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

Taxation.

Section 1. Section twenty, act of June one, one thousand eight hundred eighty-nine (Pamphlet Laws 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand

Section 20, act of June 1, 1889, P. L. 420, last amended May 16, 1945, P. L. 606, further amended.

eight hundred and seventy-nine," amended May sixteen, one thousand nine hundred forty-five (Pamphlet Laws 606), is amended to read:

Annual reports to  
Department of  
Revenue.

Section 20. That hereafter, except in the case of corporations of the first class, nonprofit corporations, and cooperative agricultural associations not having capital stock and not conducted for profit, banks, savings institutions, title insurance, or trust companies, building and loan associations, and foreign insurance companies, it shall be the duty of every corporation having capital stock, every joint-stock association, limited partnership, and every company whatsoever, now or hereafter organized or incorporated by or under any laws of this Commonwealth, and of every corporation, joint-stock association, limited partnership, and company whatsoever, now or hereafter incorporated or organized by or under the law of any other State or Territory of the United States, or by the United States, or by any foreign government, and doing business in and liable to taxation within this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of any limited partnership or joint-stock association, company, or corporation whatsoever, association or associations, copartnership or copartnerships, person or persons, or in any other manner, to make annually on or before the fifteenth day of March, for the calendar year next preceding, a report in writing to the Department of Revenue on a form or forms to be prescribed and furnished by it, setting forth, in addition to any other information required by the Department of Revenue:

Date filed.

Contents of  
report.

First. The amount of its capital stock at the close of the year for which report is made, together with the highest selling price per share, and the average selling price thereof during said year.

Second. Its debt account.

Third. Its income account, together with the disposition of any net income, and its profit and loss statement.

Fourth. Its general balance sheet.

Fifth. Its real estate and tangible personal property, if any, owned and permanently located outside of the Commonwealth, and value of the same; and the value of the property, if any, exempt from taxation.

Sixth. A valuation and appraisal, in the manner hereinafter provided, of the capital stock of the said corporation, company, joint-stock association, or limited partnership, at its actual value in cash as it existed at the close of the year for which the report is made.

The affidavit of two of the officers of such corporation, limited partnership, joint-stock association or company, shall be attached to said report. Such affidavit shall be in the form required by the Department of Revenue, but shall state, in addition to any other averments required by the department, that, with fidelity and according to the best of their knowledge and belief, the affiants have estimated, valued and appraised, as shown in said report, the capital stock of the said corporation at its actual value in cash as it existed at the close of the year for which report is made; taking into consideration, first, the average which said stock sold for during the year; and second, the price or value indicated or measured by net earnings or by the amount of profit made and either declared in dividends, expended in betterments, or carried into the surplus or sinking fund; and third, the actual value indicated or measured by consideration of the intrinsic value of its tangible property and assets, and of the value of its good will and franchises and privileges, as indicated by the material results of their exercise, taking also into consideration the amount of its indebtedness.

Affidavit of officers.

Determination of actual value of capital stock.

*For the purpose of making payments on account of tax payable under this act for the taxable year one thousand nine hundred fifty-six and thereafter, it shall also be the duty of every corporation liable to pay tax under this act to transmit in like form and manner an additional tentative report on or before the thirtieth day of June, one thousand nine hundred fifty-six, and annually thereafter, on or before the thirtieth day of April, which report shall set forth (1) the capital stock tax or the franchise tax estimated by the corporation to be due for the taxable year next preceding and reported to the department under the provisions of this act, (2) the amount of the latest settlement or resettlement of capital stock tax or franchise tax made against the corporation for a preceding year, and (3) such other information as the department may require. The additional tentative report of any corporation which reports on a fiscal year basis shall be due not later than six months after the end of the next preceding fiscal year ending in one thousand nine hundred fifty-six, and four months after the end of the next preceding fiscal year ending in one thousand nine hundred fifty-seven and thereafter. Upon the date its tentative report is required herein to be made, every corporation shall pay on account of the tax due for the current year, either (1) eighty per cent of the amount of the estimated tax as reported for the preceding taxable year, or (2) eighty per cent of the amount of the tax last settled or re-*

Duty to file tentative report with certain required information.

Payment of tax.

*settled against the corporation for a preceding taxable year, whichever amount is greater. If the "preceding taxable year" is a portion of the year, the eighty per cent payment on account of the current year shall be computed against such multiple of the tax estimated, settled or resettled for such preceding taxable year as the entire year bears to the portion of the preceding year for which the tax was estimated, settled or resettled.*

Payment of remaining portion of tax.

*The remaining portion of the tax due for the current year shall be paid upon the date the corporation's annual report thereof is required herein to be made. In the event that the tax paid on account with the tentative report is in excess of the amount of tax finally determined to be due, the department shall grant a credit to the corporation for the amount of such excess.*

Assessment of interest and penalty for failure to file a tentative report.

*Interest or penalty assessed by reason of failure to file a tentative report or make a payment on account of the tax shall be assessed in the same manner as now provided by law for capital stock and franchise taxes, but such interest and penalty shall not exceed an amount equal to interest and penalty computed on eighty per cent of the tax liability for the current year as finally determined. Any interest or penalty imposed in excess of this amount, if unpaid, may be stricken off or, if paid, may be credited to the account of the corporation.*

Procedure.

*The time for filing annual reports may be extended; taxpayers may be permitted to file their annual and tentative reports on a fiscal year basis; the procedure in case the Department of Revenue is not satisfied with the appraisal made by the officers of the taxpayer, and the penalties for failing to file reports and pay taxes shall be as prescribed by law.*

Effective dates.

*Section 2. This amending act shall take effect as of January one, one thousand nine hundred fifty-six, for corporations reporting on a calendar year basis, or as of the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-six for corporations reporting on a fiscal year basis. Nothing herein contained shall be construed as reducing the amount of the payment on account of the tax required to be made upon the filing of the tentative report for the taxable years one thousand nine hundred fifty-six and one thousand nine hundred fifty-seven.*

APPROVED—The 24th day of May, A. D. 1956.

GEORGE M. LEADER