

of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) and costs of prosecution, or to undergo imprisonment for not more than five (5) years, or both, in the discretion of the court.

Sections 11 and 12, act of December 27, 1951, P. L. 1742, reenacted and amended May 23, 1957, P. L. 181, further reenacted and amended.

Section 3. Sections 11 and 12 of the act, reenacted and amended May 23, 1957 (P. L. 181), are reenacted and amended to read:

Saving clause.

Section 11. Notwithstanding anything contained in any law to the contrary, the validity of any law or any ordinance or part of law or of any ordinance, or any resolution or part of any resolution, and any amendments or supplements thereto, now or hereafter enacted or adopted by the Commonwealth or any political subdivision thereof, providing for or relating to the imposition, levy or collection of any tax, shall not be affected or impaired by anything contained in this act.

Duration of act.

Section 12. This act shall become effective the first day of February, one thousand nine hundred fifty-two, and shall remain in force until and including the thirty-first day of May, one thousand nine hundred [fifty-nine] *sixty-one*.

Effective date.

Section 4. This reenacting and amending act shall take effect June 1, 1959, but shall not apply to any documents made, executed and delivered prior to February 1, 1952.

APPROVED—The 1st day of June, A. D. 1959.

DAVID L. LAWRENCE

No. 63

AN ACT

Amending the act of August 24, 1951 (P. L. 1417), entitled, as amended, "An act to provide revenue for State purposes by imposing a property tax on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock associations, and limited partnerships; excluding certain income; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; and providing penalties," increasing the rate of tax for a limited period of time.

Corporation Income Tax Law.

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

Section 3 and subsection (d), section 4, act of August 24, 1951, P. L. 1417, reenacted and amended April 30, 1957, P. L. 66, further amended.

Section 1. Section 3 and subsection (d) of section 4, act of August 24, 1951 (P. L. 1417), known as the "Corporation Income Tax Law," reenacted and amended April 30, 1957 (P. L. 66), are amended to read:

Section 3. Imposition of Tax.—Every corporation carrying on activities in this Commonwealth or owning

property in this Commonwealth by or in the name of itself or any person, partnership, joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one, one thousand nine hundred fifty-two, one thousand nine hundred fifty-three, one thousand nine hundred fifty-four and one thousand nine hundred fifty-five, except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act, in which case such tax at the rate of five per centum shall be levied, collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one, one thousand nine hundred fifty-two, one thousand nine hundred fifty-three, one thousand nine hundred fifty-four and one thousand nine hundred fifty-five, and a similar tax at the rate of six per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-six, one thousand nine hundred fifty-seven, one thousand nine hundred fifty-eight, [and] one thousand nine hundred fifty-nine, *one thousand nine hundred sixty and one thousand nine hundred sixty-one*, except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the *department as required by section four of this act, in which case such tax at the rate of six per centum per annum shall be levied, collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-six, one thousand nine hundred fifty-seven, one thousand nine hundred fifty-eight, [and] one thousand nine hundred fifty-nine, *one thousand nine hundred sixty and one thousand nine hundred sixty-one* and a similar tax at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during each calendar year subsequent to one thousand nine hundred [fifty-nine] *sixty-one*, except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act, in which case such tax at the rate of five per centum per annum shall be levied, collected and paid upon each dollar of such net income during each fiscal year com-

* "departments" in original.

mencing in each calendar year subsequent to one thousand nine hundred [fifty-nine] *sixty-one*: Provided, however, That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act, approved the sixteenth day of May, one thousand nine hundred *thirty-five (Pamphlet Laws, two hundred eight) as reenacted and amended, according to or measured by net income.

Except as otherwise provided in this section, the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws.

Section 4. Reports and Payment of Tax.—

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(d) For the taxable years up to and including the year one thousand nine hundred fifty-two, every corporation, upon the date its report is required herein to be made, shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year, and the remaining one-half of such tax shall be paid within the thirty days next succeeding; and, except as otherwise provided by law, no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable. For the taxable years one thousand nine hundred fifty-three, one thousand nine hundred fifty-four and one thousand nine hundred fifty-five and each taxable year thereafter, except the taxable years one thousand nine hundred fifty-six, one thousand nine hundred fifty-seven, one thousand nine hundred fifty-eight, [and] one thousand nine hundred fifty-nine, *one thousand nine hundred sixty and one thousand nine hundred sixty-one*, every corporation, upon the date its tentative report is required herein to be made, shall pay on account of the tax due for the current year, at its election, (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year, or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported, or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable. For the taxable years one thousand nine hundred fifty-six, one thousand nine hundred fifty-seven, one thousand nine hundred fifty-eight, [and] one thousand nine hundred fifty-nine, *one thousand nine hundred sixty and*

* "thirty-five" in original.

one thousand nine hundred sixty-one, every corporation, upon the date its tentative report is required herein to be made, shall pay on account of the tax due for the current year, at its election, (1) not less than three per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year, or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported, or (2) not less than twelve per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year, whichever is applicable. The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made.

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Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 1st day of June, A. D. 1959.

DAVID L. LAWRENCE

No. 64

AN ACT

Amending the act of May 16, 1935 (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; and providing penalties," increasing the rate of tax for a limited period of time.

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

Corporate Net Income Tax Act.

Section 1. Section 3 and subsection (d) of section 4, act of May 16, 1935 (P. L. 208), known as the "Corporate Net Income Tax Act," reenacted and amended April 30, 1957 (P. L. 80), are amended to read:

Section 3 and subsection (d), section 4, act of May 16, 1935, P. L. 208, reenacted and amended April 30, 1957, P. L. 80, further amended.

Section 3. Imposition of Tax.—Every corporation shall be subject to, and shall pay for the privilege of doing business in this Commonwealth, or having capital or property employed or used in this Commonwealth, by or in the name of itself, or any person, partnership, association, limited partnership, joint-stock association, or corporation, a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by, and accruing to, such