

No. 85

AN ACT

To further amend section one of the act, approved the seventh day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, eight hundred fifty-nine), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," by requiring executors, administrators, and certain persons to file with the register of wills copies of all documents received from the Federal Government making any changes in valuation of estates or in the amount of the estate tax.

Inheritance taxes.

Section 1, act of May 7, 1927 (P. L. 853), as last amended by act of May 16, 1929 (P. L. 1782), further amended.

Section 1. Be it enacted, &c., That section one of the act, approved the seventh day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, eight hundred fifty-nine), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," as last amended by the act, approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand seven hundred eighty-two), is hereby further amended to read as follows:

Additional transfer taxes.

Section 1. Be it enacted, &c., That in order that the Commonwealth may receive the benefit of section three hundred and one (b) of the Federal Revenue Act of one thousand nine hundred and twenty-six, or any other legislation of a similar kind or enacted for a like purpose, which grants a credit on the Federal estate tax for inheritance taxes and transfer inheritance taxes paid to the State governments, additional transfer taxes for

State purposes are hereby imposed upon the transfer, in trust or otherwise, of any property taxable under the provisions of the transfer inheritance tax law of this Commonwealth, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal." Such taxes shall be imposed as estate taxes and shall be collected in accordance with the provisions of the transfer inheritance tax laws of the Commonwealth, in the following cases, viz: Whenever in any estate the total tax paid or payable to the Commonwealth and any other State or territory, at the rates fixed under the inheritance tax law, shall be less than the total credit allowed by the Federal law for taxes paid to the States, then the tax imposed by this act upon the transfer of such property shall be an amount equal to the difference between the total credit, allowable by the Federal law for taxes payable to the State governments, and the total taxes actually paid or payable to the Commonwealth and any other State or territory under the inheritance tax laws.

Computation
of tax.

Every executor, administrator, or person in actual or constructive possession of the property of an estate subject to the tax imposed by this act, shall, within thirty days after the filing of his, *her, or its* return with the Federal Government for *Federal estate tax purposes*, file a copy of such Federal return with the register of wills of the proper county, *and shall, within thirty days after the receipt by him, her, or it of any communication from the Federal Government, making any final change in the said return or confirming, increasing, or diminishing the tax thereby shown to be due, file a copy of such communication with the register of wills of the proper county.* The Commonwealth shall have authority, in any estate taxable under this act, to act to make a provisional estimate for the payment of taxes to the Commonwealth on account, and to make an appraisalment of the taxes due by any estate under this act when the amount of the Federal tax has been finally determined.

Copy of Federal
return to be filed
with register.

Certain communi-
cations to be filed
with register.

Provisional
estimate.

APPROVED—The 12th day of May, A. D. 1931.

GIFFORD PINCHOT