

## S.B. 23

# CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 1, 2010 8:38 AM

Representative **Wayne A. Harper** proposes the following amendments:

1. Page 12, Lines 348 through 354:

348           ~~[(11)-(a)]~~ (k) subject to Subsection (3), 50% of [the dividends deemed] a dividend  
349 considered to be received or received from [subsidiaries which are members of the] a  
350 subsidiary that:  
351           (i) is a member of {a} **the** unitary group [and are];  
352           (ii) is organized or incorporated outside of the United States [unless such subsidiaries  
353 are]; and  
354           (iii) is not included in a combined report under Section 59-7-402 or 59-7-403[-]; [In

2. Page 14, Lines 423 through 430:

423           (3) (a) For purposes of calculating the subtraction provided for in Subsection (1)(k), a  
424 taxpayer shall first subtract from a dividend considered to be received or received an expense  
425 directly attributable to that dividend {as determined under Subsection (3)(b)} .  
426           (b) For purposes of Subsection (3)(a), **the amount of** an interest expense that is **considered to**  
**be** directly attributable to  
427 a dividend is calculated by multiplying the interest expense by a fraction:  
428           (i) the numerator of which is the taxpayer's average investment in the dividend paying  
429 subsidiaries; and  
430           (ii) the denominator of which is the taxpayer's average total investment in assets.