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**Corporation Business Tax**

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## **Corporation Business Tax**

### **Sec. 12-219a-1. Definitions**

(a) “Entire additional tax base” means the additional tax base apportioned to this state under section 12-219a. Only a company which is taxable both within and without this state shall be entitled to apportion its additional tax base to this state. In the case of a company which is not taxable both within and without this state, any reference to its entire additional tax base means its additional tax base.

(b) The commissioner, in his discretion, may require a company which files its annual return as if it were “taxable both within and without this state” to submit an official ruling from a state (which purportedly has taxing jurisdiction over such company) concerning its jurisdiction to impose a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business or a corporate stock tax on such company. Such an official ruling shall in no event bind the commissioner or be deemed conclusive.

(c) The “principle place of business” of a company is deemed to be within this state if the nerve center from which its officers control and coordinate corporate activities in furtherance of corporate objectives is within this state, or if the location of its overall, active management is within this state.

(d) “Private corporation” means a corporation, the majority of the shares (of any class or type) of which are not held by or for, directly or indirectly, the United States, any State, or any subdivision or agency of the United States or any State. The stock of a private corporation includes treasury stock shown on the balance sheet.  
(Effective July 21, 1982)