

CHAPTER 73  
FORMERLY  
HOUSE BILL NO. 127  
AS AMENDED BY  
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

Section 1. Notwithstanding the provisions of any other law, including but not limited to 76 Del. Laws, c. 282, § 16 (July 1, 2008) and 77 Del. Laws, c. 83, § 25 (July 1, 2009) the rates of tax set forth in §§ 2301(d)(1), 2502(c)(1), 2702(b)(1), 2703(c)(1), 2902(c)(1), 2902(c)(3), 2903(c)(1), 2904(c)(1), 2905(b)(1), 2905(g), 2906(c)(1), 2907(c)(1), 2908(c), 4302 and 4305, Title 30 of the Delaware Code that are currently designated as effective until December 31, 2013 shall remain in effect only for taxable periods ending before or on December 31, 2011, and except as provided in section 45 of this Act, the rates of tax set forth in the provisions enumerated above currently designated as effective January 1, 2014 shall remain in effect for taxable periods beginning on or after January 1, 2014 until amended by further act of the General Assembly.

Section 2. Amend § 9113(b)(1) as effective until July 1, 2013, Title 7 of the Delaware Code by deleting the words “in excess of \$1 million in any fiscal year” as they appear therein.

Section 3. Amend § 9114(b) as effective until July 1, 2013, Title 7 of the Delaware Code by replacing the words “shall in any fiscal year deposit amounts in excess of \$1 million of” as they appear therein with the words “shall deposit”.

Section 4. Amend § 2301(e)(1), Chapter 23, Title 30 of the Delaware Code as effective from July 1, 2013, until January 1, 2014, by deleting the punctuation and numeral “(19)” in that paragraph and replacing them with the punctuation and numeral “(17)”.

Section 5. Amend § 2301(e)(5), Chapter 23, Title 30 of the Delaware Code as effective from July 1, 2013, until January 1, 2014, by deleting the punctuation, numerals and word “(13), (14) and (19)” in that paragraph and replacing them with the punctuation and numerals and word “(11), (12) and (17)”.

Section 6. Amend § 2301(e)(1), Chapter 23, Title 30 of the Delaware Code as effective January 1, 2014, by deleting the punctuation and numeral “(19)” in that paragraph and replacing them with the punctuation and numeral “(17)”.

Section 7. Amend § 2301(e)(5), Chapter 23, Title 30 of the Delaware Code as effective on January 1, 2014, by deleting the punctuation, numerals and word “(13), (14) and (19)” in that paragraph and replacing them with the punctuation and numerals and word “(11), (12) and (17)”.

Section 8. Amend § 2301(d), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 9. Amend § 2301(d), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 10. Amend § 2502(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 11. Amend § 2502(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 12. Amend § 2702(b), Title 30 of the Delaware Code, by striking the symbol and figure “\$1,000,000” as it appears in paragraphs (1) and (2) of said subsection and substituting in lieu thereof in both paragraphs the symbol and figure “\$1,250,000”.

Section 13. Amend § 2702(b), Title 30 of the Delaware Code, by striking the symbol and figure “\$3,000,000” as it appears in paragraph (3) of said subsection and substituting in lieu thereof the symbol and figure “\$3,750,000”.

Section 14. Amend § 2703(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$1,000,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$1,250,000”.

Section 15. Amend § 2703(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$3,000,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$3,750,000”.

Section 16. Amend § 2902(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 17. Amend § 2902(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 18. Amend § 2903(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 19. Amend § 2903(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 20. Amend § 2904(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 21. Amend § 2904(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 22. Amend § 2905(b), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 23. Amend § 2905(b), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 24. Amend § 2906(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 25. Amend § 2906(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 26. Amend § 2907(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000.”

Section 27. Amend § 2907(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000.”

Section 28. Amend § 2908(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$80,000” as it appears in paragraph (1) of said subsection and substituting in lieu thereof the symbol and figure “\$100,000”.

Section 29. Amend § 2908(c), Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 30. Amend § 4305(b), Title 30 of the Delaware Code, Title 30 of the Delaware Code, by striking the symbol and figure “\$240,000” as it appears in paragraph (2) of said subsection and substituting in lieu thereof the symbol and figure “\$300,000”.

Section 31. Amend § 2301(d)(1), Title 30 of the Delaware Code, by striking the figure “0.4147%” as it appears therein and inserting in lieu thereof the figure “0.4023%”.

Section 32. Amend § 2502(c)(1), Title 30 of the Delaware Code, by striking the figure “0.6739%” as appears therein and inserting in lieu thereof the figure “0.6537%”.

Section 33. Amend 2702(b)(1), Title 30 of the Delaware Code, by striking the figure “0.1944%” as it appears therein and inserting in lieu thereof the figure “0.1886%”.

Section 34. Amend 2702(b)(2), Title 30 of the Delaware Code, by striking the figure “0.1458%” as it appears therein and inserting in lieu thereof the figure “0.1414”.

Section 35. Amend 2703(c)(1), Title 30 of the Delaware Code, by striking the figure “0.1458%” as it appears therein and inserting in lieu thereof the figure “0.1414%”.

Section 36. Amend § 2902(c)(1), Title 30 of the Delaware Code, by striking the figure “0.4147%” as it appears therein and inserting in lieu thereof the figure “0.4023%”.

Section 37. Amend § 2902(c)(3), Title 30 of the Delaware Code, by striking the figure “0.2592%” as it appears therein and inserting in lieu thereof the figure “0.2514%”.

Section 38. Amend § 2903(c)(1), Title 30 of the Delaware Code, by striking the figure “0.2074%” as it appears therein and inserting in lieu thereof the figure “0.2012%”.

Section 39. Amend § 2904(c)(1), Title 30 of the Delaware Code, by striking the figure “0.1037%” as it appears therein and inserting in lieu thereof the figure “0.1006%”.

Section 40. Amend § 2905(b)(1), Title 30 of the Delaware Code, by striking the figure “0.7776%” as it appears therein and inserting in lieu thereof the figure “0.7543%”.

Section 41. Amend § 2905(g), Title 30 of the Delaware Code, by striking the figure “0.7776%” as it appears therein and inserting in lieu thereof the figure “0.7543%”.

Section 42. Amend § 2906(c)(1), Title 30 of the Delaware Code, by striking the figure “0.6739%” as it appears therein and inserting in lieu thereof the figure “0.6537%”.

Section 43. Amend § 2907(c)(1), Title 30 of the Delaware Code, by striking the figure “0.1037%” as it appears therein and inserting in lieu thereof the figure “0.1006%”.

Section 44. Amend § 2908(c), Title 30 of the Delaware Code as in effect until January 1, 2014, by striking the words and figures “the rate of 0.3402% of the first \$2 million per month and 0.6372% thereafter” as they appear therein and inserting in lieu thereof the words and figures “the rate of 0.33%”.

Section 45. Amend § 2908(c), Title 30 of the Delaware Code as in effect January 1, 2014, by striking the words and figures “the rate of 0.315% of the first \$2 million per month and 0.590% thereafter” as they appear therein and inserting in lieu thereof the words and figures “the rate of 0.315%”.

Section 46. Amend § 4302(a), Title 30 of the Delaware Code, by striking the figure “2.0736%” as it appears therein and inserting in lieu thereof the figure “2.0114%”.

Section 47. Amend § 4302(b), Title 30 of the Delaware Code, by striking the figure “2.0736%” as it appears therein and inserting in lieu thereof the figure “2.0114%”.

Section 48. Amend § 4305, Title 30 of the Delaware Code, by striking the figure “0.3110%” as it appears in subsection (b) and inserting in lieu thereof the figure “0.3017%”.

Section 49. If any clause, sentence, section, provision or part of this Act shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not impair, invalidate, or affect the remainder of this Act, which shall remain in full force and effect.

Section 50. Sections 1, and 4 through 7 of this Act are effective upon enactment. Sections 2 and 3 of this Act shall be effective for fiscal years beginning after June 30, 2011. Sections 8 through 30 of this Act shall be effective for taxable periods beginning after December 31, 2011. Sections 31 through 44 and 46 through 48 of this Act shall be effective for taxable periods beginning after December 31, 2011 and ending before January 1, 2014. Section 45 of this Act shall be effective for taxable periods beginning after December 31, 2013.

Approved July 01, 2011