

CHAPTER 77
FORMERLY
HOUSE SUBSTITUTE NO. 1 FOR
HOUSE BILL NO. 264
AS AMENDED BY
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME.

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. Amend § 1102(a), Title 30 of the Delaware Code, by adding a new paragraph (12) to read as follows:

"(12) For taxable years beginning after December 31, 2009, the amount of tax shall be determined as follows: 2.2 % of taxable income in excess of \$2,000 but not in excess of \$5,000; 3.9 % of taxable income in excess of \$5,000 but not in excess of \$10,000; 4.8 % of taxable income in excess of \$10,000 but not in excess of \$20,000; and 5.2 % of taxable income in excess of \$20,000 but not in excess of \$25,000; 5.55% of taxable income in excess of \$25,000 but not in excess of \$60,000; and 6.95 % of taxable income in excess of \$60,000."

Section 2. Amend § 1102(a), Title 30 of the Delaware Code, by inserting after the date "December 31, 1999," as it appears in paragraphs (10) and (11) of said subsection the phrase "and before January 1, 2010,".

Section 3. 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 4. This Act shall be effective for tax periods commencing after December 31, 2009.

Section 5. This Act shall sunset four (4) years from the effective date.

Approved July 01, 2009