

# VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

## CHAPTER 644

*An Act to amend and reenact § 58.1-408 of the Code of Virginia, relating to apportionment of taxable income of a corporation.*

[S 709]

Approved April 16, 1998

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-408 of the Code of Virginia is amended and reenacted as follows:**

§ 58.1-408. What income apportioned and how.

The Virginia taxable income of any corporation, except those subject to the provisions of §§ 58.1-417, 58.1-418, 58.1-419, or § 58.1-420, excluding income allocable under § 58.1-407, shall be apportioned to the Commonwealth by multiplying such income by a fraction, the numerator of which is the property factor plus the payroll factor, plus *twice* the sales factor, and the denominator of which is ~~three, reduced by the number of factors, if any, having no denominator~~ *four; however, where the sales factor does not exist, the denominator of the fraction shall be the number of existing factors and where the sales factor exists but the payroll factor or the property factor does not exist, the denominator of the fraction shall be the number of existing factors plus one.*

**2. That the provisions of this act shall be effective for taxable years beginning on and after January 1, 2000.**

**3. That the provisions of this act shall become effective if this act is reenacted by the 1999 Session of the General Assembly.**