



Economic Impact Analysis Virginia Department of Planning and Budget

23 VAC 10-120– Corporation Income Tax Regulations
Department of Taxation
September 14, 2006

Summary of the Proposed Amendments to Regulation

The Department of Taxation proposes to repeal Sections 85, 87, 340, 364, 370, and 450 in the existing Corporation Income Tax Regulations. These sections either provide no additional guidance to clear and unambiguous statutes (Sections 85, 340, 364, 370, and 450) or are no longer applicable (Section 87).

Result of Analysis

The proposed repeal is not likely to have any significant impact.

Estimated Economic Impact

Section 85 (Telecommunications company income tax credit), 340 (Several liability of affiliated corporations), 364 (Intragroup transactions; examples), 370 (Foreign sales corporations), and 450 (Where declarations filed and how payments made) are essentially identical in meaning to Code Sections § 58.1- 434, § 58.1- 400.1, § 58.1- 444, § 58.1- 446, § 58.1- 446 and § 58.1- 503, respectively. Repealing these sections therefore will have no impact.

Section 87 (Telecommunications companies; transitional rule for initial fiscal year) addresses the transitional rule for initial fiscal year. This section is proposed to be repealed because it is no longer applicable. Repeal of this section will have no impact.

Businesses and Entities Affected

The proposed repeal of these regulations will not significantly affect businesses and entities.

Localities Particularly Affected

No localities are particularly affected.

Projected Impact on Employment

The proposed repeal of these regulations will not affect employment.

Effects on the Use and Value of Private Property

The proposed repeal of these regulations will not significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed repeal of these regulations will not significantly affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed repeal of these regulations will not significantly affect small businesses.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the

regulation. The analysis presented above represents DPB's best estimate of these economic impacts.