

Section 1. Minnesota Statutes 1949, Section 290.53, Subdivision 1, is amended to read:

290.53 **Penalties, interest.** Subdivision 1. If any tax imposed by this act, or any portion thereof, is not paid within the time herein specified for the payment thereof, or within 30 days after final determination of an appeal to the board of tax appeals relating thereto, there shall be added thereto a specific penalty equal to five per cent of the amount so remaining unpaid. Such penalty shall be collected as part of said tax, and the amount of said tax not timely paid, together with said penalty shall bear interest at the rate of four per cent per annum from the time such tax should have been paid until paid. Interest accruing upon the tax due as disclosed by the return or upon the amount determined as a deficiency from the date prescribed for the payment of the tax (if the tax is payable in instalments, from the date the instalment or instalments become due and payable under the provisions of section 290.45, subdivision 1) shall be added to the tax and be collected as a part thereof. Where an extension of time for payment has been granted under section 290.45, subdivision 2, interest shall be paid at the rate of four per cent per annum from the date when such payment should have been made if no extension had been granted, until such tax is paid. If payment is not made at the expiration of the extended period the penalties provided in this section shall apply.

Sec. 2. **Application.** The provisions of this chapter are applicable to all taxable years beginning after December 31, 1950.

Approved April 20, 1951.

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CHAPTER 607—H. F. No. 611

*An act relating to taxes on and measured by net income; amending Minnesota Statutes 1949, Sections 290.42, 290.45, Subdivision 1.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1949, Section 290.42, is amended to read:

290.42 **Date of filing.** The returns required to be made under sections 290.37 to 290.39 and 290.41, other than those under section 290.41, subdivisions 3 and 4, which shall be made within 30 days after demand therefor by the commissioner, shall be filed at the following times:

(1) Returns made on the basis of the calendar year shall be filed on the fifteenth day of March, following the close of the calendar year, *except that returns of fiduciaries of estates or trusts shall be filed on or before the fifteenth day of April following the close of the calendar year;*

(2) Returns made on the basis of the fiscal year shall be filed on the fifteenth day of the third month following the close of such fiscal year, *except that returns of fiduciaries of estates or trusts shall be filed on or before the fifteenth day of the fourth month following the close of the fiscal year;*

(3) Returns made for a fractional part of a year as an incident to a change from one taxable year to another shall be filed on the fifteenth day of the third month following the close of the period for which made;

(4) Other returns for a fractional part of a year shall be filed on the fifteenth day of the third month following the end of the month in which falls the last day of the period for which the return is made;

(5) In case of sickness, absence, or other disability, or when, in his judgment, good cause exists, the commissioner may extend the time for filing these returns for not more than six months, except that where the failure is due to absence outside the United States he may extend the period until 30 days after the taxpayer's return to this state. He may require each taxpayer in any of such cases to file a tentative return at the time fixed for filing the regularly required return from him, and to pay a tax on the basis of such tentative return at the times required for the payment of taxes on the basis of the regularly required return from such taxpayer. The commissioner may exercise his power under this clause by general regulation only.

Sec. 2. Minnesota Statutes 1949, Section 290.45, Subdivision 1, is amended to read:

**290.45 Tax paid when return filed.** Subdivision 1. **Payment in instalments.** *The tax imposed by this chapter shall be paid at the time fixed for filing the return on which the tax is based, except that at the election of the taxpayer the tax may be paid in two equal instalments, the first of which shall be paid at the time fixed for filing the return, and the second on or before six months thereafter; provided, that the tax imposed upon an estate or trust shall be paid at the time the return is filed if the return is filed after the fifteenth day of March following the close of the calendar year or after the fifteenth day of the third month following the close of the fiscal year. If any instalment is not paid on or before the date fixed for its payment the whole amount of the tax unpaid shall become due and payable. They shall be paid to the commissioner or to the local officers designated by the commissioner with whom the return is filed as hereinbefore provided.*

**Sec. 3. Application.** The provisions of this chapter are applicable to all taxable years beginning after December 31, 1950.

Approved April 20, 1951.

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CHAPTER 608—H. F. No. 640

*An act relating to taxes on or measured by net income; amending Minnesota Statutes 1949, Section 290.08.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1949, Section 290.08, is amended to read:

**290.08 Exemptions from gross income.** The following items shall not be included in gross income:

- (1) The value of property acquired by gift, devise, bequest or inheritance, but the income from such property shall be included in gross income; the income received under a gift, devise, bequest or inheritance of a right to receive income shall also be included in gross income. Amounts paid, credited, or to