

City of Philadelphia



(Bill No. 000354)

AN ORDINANCE

Amending Chapter 19-1500 of The Philadelphia Code, entitled “Wage and Net Profits Tax,” by exempting certain stock options from the tax, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 19-1500 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 19-1500. WAGE AND NET PROFITS TAX

§19-1501. Definitions.

* * *

(8) Salaries, Wages, Commissions and Other Compensation. All salaries, wages, commissions, bonuses, incentive payments, fees and tips that may accrue or be received by an individual, whether indirectly or through an agent and whether in cash or in property, for services rendered, but excluding:

* * *

(f) *Stock options which do not have a readily ascertainable fair market value, as defined by 26 C.F.R. §1.83-7(b), on the date the stock option is granted.*

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Stock options which do have a readily ascertainable fair market value on the date the stock option is granted shall be considered as compensation in the amount of such value and received on such date. If an employee is offered the choice of receiving compensation in cash or compensation in stock options, and chooses stock options, then such stock options shall be deemed to have a readily ascertainable fair market value equal to the amount of cash that was offered. Any amount that would otherwise be considered as compensation arising from the exercise, exchange, sale or disposition of stock options, whether or not they had a really ascertainable fair market value when granted, shall not be taxable under this Chapter.

* * *

SECTION 2. The provisions of subsection 19-1501(8)(f) of The Philadelphia Code, as added by Section 1 of this Ordinance, exempting certain stock options from tax, shall apply only to stock options that are granted after the date this Ordinance takes effect, and to stock options that are exercised, exchanged, sold or otherwise disposed of, on or after the date this Ordinance takes effect.

Explanation:

Italics indicate new matter added.

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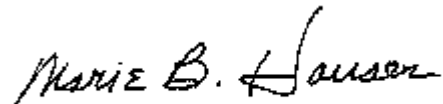
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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 22, 2000. The Bill was Signed by the Mayor on September 14, 2000.

A handwritten signature in black ink that reads "Marie B. Hauser". The signature is written in a cursive style with a large, looped initial "M".

Marie B. Hauser
Chief Clerk of the City Council