

in the manner, including payment of the same recording fees, prescribed in Section 25 of this Article with respect to articles of amendment. A duly certified copy of such articles supplementary from the records of the State Tax Commission or the Circuit or Superior Court shall be evidence of the classification so fixed or altered and therein set forth.

SEC. 4. *And be it further enacted*, That a new and additional section be and the same is hereby added to Article 23 of the Annotated Code, to be known as Section 35D $\frac{1}{2}$, and to follow Section 35D thereof, said new and additional section to read as follows:

35D $\frac{1}{2}$. For the purposes of Sections 35 to 35D, inclusive, of this Article the consideration for which stock is issued as a stock dividend shall be taken to be the capitalization thereby of surplus or net profits of the corporation, and the actual value of such consideration shall be taken to be an amount equal to the surplus or net profits thereby capitalized.

SEC. 5. *And be it further enacted*, That Section 36A of Article 23 of the Annotated Code be and the same is hereby repealed and re-enacted with amendments so as to read as follows:

36A. (1) Any corporation of this State may acquire shares of its own stock of any class by gift or bequest.

(2) Any such corporation may purchase shares of its own stock of any class, which is subject to redemption at the time of such purchase, at not exceeding the redemption price thereof. Any of such stock purchased for retirement and any of such stock redeemed shall have the status of authorized but unissued stock of the corporation and, until the classification thereof shall have been changed, shall retain the classification obtaining before such purchase for retirement or such redemption. No proceeding for the reduction of the issued stock of the corporation shall be necessary to effectuate such retirement. For the purposes of the succeeding paragraphs of this section every purchase for retirement of shares of stock subject to redemption shall be deemed and taken to be a redemption thereof and the term "purchase" whenever used therein shall be construed not to include either any purchase for retirement of shares of stock subject to redemption or any redemption thereof.

(3) Any such corporation thereunto authorized by its charter or by the vote, at a meeting duly called and held, of the