

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

Senate Bill 98

**FISCAL
NOTE**

BY SENATORS MILLER, KESSLER, ROMANO, WOELFEL,

BEACH, SNYDER AND FACEMIRE

[Introduced January 13, 2016;

Referred to the Committee on Energy, Industry and

Mining; and then to the Committee on Finance.]

1 A BILL to amend and reenact §11-13Z-1 and §11-13Z-3 of the Code of West Virginia, 1931, as
 2 amended, all relating to residential solar energy tax credits; applying credit to residential
 3 installation of solar energy system or systems; and extending tax credit until July 1, 2022.

Be it enacted by the Legislature of West Virginia:

1 That §11-13Z-1 and §11-13Z-3 of the Code of West Virginia, 1931, as amended, be
 2 amended and reenacted, all to read as follows:

ARTICLE 13Z. RESIDENTIAL SOLAR ENERGY TAX CREDIT.

§11-13Z-1. Amount of credit.

1 Any taxpayer who installs or causes to be installed a solar energy system or systems on
 2 property located in this state and owned by the taxpayer and used as a residence after July 1,
 3 2009, ~~shall be~~ is allowed a credit against the taxes imposed in article twenty-one of this chapter
 4 in an amount equal to thirty percent of the cost to purchase and install the system or systems up
 5 to a maximum amount of \$2,000, for each installation.

§11-13Z-3. Carryover credit allowed; Tax Commissioner to promulgate rules.

1 If the amount of the credit exceeds the taxpayer’s liability for the taxable year, the amount
 2 which exceeds the tax liability may be carried over and applied as a credit against the tax liability
 3 of the taxpayer pursuant to the provisions of article twenty-one of this chapter to each of the next
 4 taxable years unless sooner used.

5 The State Tax Commissioner shall promulgate legislative rules pursuant to the provisions
 6 of chapter twenty-nine-a of this code regarding the applicability, method of claiming of the credit,
 7 recapture of the credit and documentation necessary to claim the credit allowed by this article.
 8 No taxpayer ~~shall~~ may take a credit pursuant to this article for a solar energy system installed
 9 after July 1, ~~2013~~ 2023.

NOTE: The purpose of this bill is to apply the residential solar energy tax credit of up to \$2,000 to each installation of a solar energy system. The bill extends the tax credit until July 1, 2023.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.