

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 323

FISCAL NOTE

BY SENATORS JEFFRIES, AZINGER, CLINE, FACEMIRE,
OJEDA, PALUMBO, PLYMALE, ROMANO, SMITH, SYPOLT,
WOELFEL, STOLLINGS, BOSO, BEACH AND MILLER

[Introduced February 15, 2017; Referred
to the Committee on Finance]

1 A BILL to amend and reenact §11-21-8a of the Code of West Virginia, 1931, as amended; and to
 2 amend and reenact §11-24-23a of said code, all relating to increasing the tax credit for
 3 qualified rehabilitated buildings investment; setting a date after which the increase applies
 4 to new rehabilitation expenditures; and adjusting the tax credits with respect to both
 5 personal income tax and corporate net income tax.

Be it enacted by the Legislature of West Virginia:

1 That §11-21-8a of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted; and that §11-24-23a of said code be amended and reenacted, all to read as follows:

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-8a. Credit for qualified rehabilitated buildings investment.

1 A credit against the tax imposed by the provisions of this article shall be allowed as follows:

2 Certified historic structures. -- For certified historic structures, the credit is equal to ten
 3 percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United
 4 States Code, as amended: Provided, That for qualified rehabilitation expenditures made after
 5 June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified
 6 rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as
 7 amended. This credit is available for both residential and nonresidential buildings located in this
 8 state, that are reviewed by the West Virginia Division of Culture and History and designated by
 9 the national park service, United States department of the interior as "certified historic structures,"
 10 and further defined as a "qualified rehabilitated building," as defined under §47(c)(1), Title 26 of
 11 the United States Code, as amended.

ARTICLE 24. CORPORATION NET INCOME TAX.

§11-24-23a. Credit for qualified rehabilitated buildings investment.

1 A credit against the tax imposed by the provisions of this article shall be allowed as follows:

2 Certified historic structures. -- For certified historic structures, the credit is equal to ten

3 percent of qualified rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United
4 States Code, as amended: Provided, That for qualified rehabilitation expenditures made after
5 June 30, 2017, the credit allowed by this section is equal to twenty-five percent of the qualified
6 rehabilitation expenditures as defined in §47(c)(2), Title 26 of the United States Code, as
7 amended. This credit is available for both residential and nonresidential buildings located in this
8 state that are reviewed by the West Virginia Division of Culture and History and designated by
9 the national park service, United States department of the interior as "certified historic building",
10 and further defined as a "qualified rehabilitated building", as defined under §47(c)(1), Title 26, of
11 the United States Code, as amended.

NOTE: The purpose of this bill is to increase the tax credit for qualified rehabilitated buildings investment. The bill sets a date after which the increase applies to new rehabilitation expenditures. The bill adjusts the tax credits with respect to both personal income tax and corporate net income tax.

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