

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2148**

BY DELEGATES BYRD

[Introduced February 8,2017; Referred  
to the Committee on Education then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §11-21-12j, relating to providing taxpayers repaying their own student loans a  
 3 modification reducing federal adjusted gross in the amount of the interest paid, for  
 4 personal income tax purposes.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §11-21-12j, to read as follows:

**ARTICLE 21. PERSONAL INCOME TAX.**

**§11-21-12j. Additional modification reducing federal adjusted gross income for interest  
 paid on student loans.**

3 (a) For taxable years beginning after December 31, 2017, in addition to amounts  
 4 authorized to be subtracted from federal adjusted gross income pursuant to other sections of this  
 5 article, a modification reducing federal adjusted gross income is authorized for payments made  
 6 representing interest the taxpayer has paid on the taxpayers student loans during the taxable  
 7 year. The modification allowed by this section is allowed only to the extent the amount is not  
 8 allowable as a deduction when arriving at the taxpayers federal adjusted gross income for the  
 9 taxable year in which the payment is made.

10 (b) The Tax Commissioner shall promulgate procedural rules providing a procedure for  
 11 taxpayers to follow to establish that the amount of the modification claimed qualifies under this  
 12 section.

NOTE: The purpose of this bill is to provide taxpayers repaying their own student loans a  
 modification reducing federal adjusted gross income in the amount of the interest paid, for  
 personal income tax purposes.

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