

# **WEST VIRGINIA LEGISLATURE**

**2022 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 497**

BY SENATORS SWOPE AND SYPOLT

[Originating in the Committee on Energy, Industry,  
and Mining; reported on February 2, 2022]

1 A BILL to amend and reenact §11-6F-6 of the Code of West Virginia, 1931, as amended, all  
2 relating to the special method for appraising qualified capital additions to manufacturing  
3 facilities; eliminating the requirement that otherwise qualified investment assets be located  
4 or installed at or within two miles of a pre-existing manufacturing facility; and specifying  
5 effective date.

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

**ARTICLE 6F. SPECIAL METHOD FOR APPRAISING QUALIFIED CAPITAL  
ADDITIONS TO MANUFACTURING FACILITIES.**

**§ 11-6F-6. Effective date, expiration of two-mile limitation.**

1 (a) This article is effective for the tax years beginning on and after ~~the first day of July, one~~  
2 ~~thousand nine hundred ninety seven~~ July 1, 1997.

3 (b) Notwithstanding any other provision of this article to the contrary, the requirement that  
4 qualified investment assets be located or installed at or within two miles of a preexisting  
5 manufacturing facility owned or operated by the person making the capital addition, or by a  
6 multiple party project participant, is null, void, and of no further force or effect for otherwise  
7 qualified investment assets placed in service or use on and after the January 1, 2023.

NOTE: The purpose of this bill is to eliminate the requirement that otherwise qualified investment assets be placed in service or use within two miles of a preexisting manufacturing facility for purposes of the special method for appraising qualified capital additions to manufacturing facilities.

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