WEST virginia legislature

2023 regular session

Committee Substitute

for

Senate Bill 209

By Senators Trump, Chapman, and Maroney

[Originating in the Committee on Banking and Insurance; reported on January 24, 2023]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12n, relating to personal state income taxes and authorizing a decreasing modification of a taxpayer’s adjusted gross income for medical expenses not reimbursed under accident and sickness insurance coverage.

Be it enacted by the Legislature of West Virginia:

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-12n. Modification for medical expenses not reimbursed by insurance.

For taxable years beginning on and after January 1, 2024, in addition to amounts authorized to be subtracted from federal adjusted gross income pursuant to §11-21-12(c) of this code, any payment during the taxable year for medical expenses, as defined in §33-15-20 of this code but excluding amounts paid for insurance, that are not reimbursed under accident and sickness insurance coverage, as defined in §33-15-2a of this code and that offers coverage to either the taxpayer or the taxpayer's spouse, parent, or a dependent, as defined in section 152 of the Internal Revenue Code of 1986, as amended, is an authorized modification reducing federal adjusted gross income, but only to the extent the amount is not allowable as a deduction when arriving at the taxpayers federal taxable income for the taxable year in which the payment is made.

NOTE: The purpose of this bill is to allow resident individuals to deduct from personal income tax medical expenses not reimbursed by an accident and sickness insurance policy.

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