

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §11-21-12n, relating to personal state income taxes and authorizing a
3 decreasing modification of a taxpayer's adjusted gross income for medical expenses not
4 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.

1 For taxable years beginning on and after January 1, 2024, in addition to amounts
2 authorized to be subtracted from federal adjusted gross income pursuant to §11-21-12(c) of this
3 code, any payment during the taxable year for medical expenses, as defined in §33-15-20 of this
4 code but excluding amounts paid for insurance, that are not reimbursed under accident and
5 sickness insurance coverage, as defined in §33-15-2a of this code and that offers coverage to
6 either the taxpayer or the taxpayer's spouse, parent, or a dependent, as defined in section 152 of
7 the Internal Revenue Code of 1986, as amended, is an authorized modification reducing federal
8 adjusted gross income, but only to the extent the amount is not allowable as a deduction when
9 arriving at the taxpayer's federal taxable income for the taxable year in which the payment is
10 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.