

H. B. 2875

(By Delegates Manypenny, Canterbury, R. Smith, Diserio,
Skinner, Barrett, Sponaugle, Ellem, Hunt,
Manchin and Barill)

[Introduced March 8, 2013; referred to the
Committee on Energy, Industry and Labor, Economic
Development and Small Business then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §11-13Z-1 and §11-13Z-3 of the Code of
West Virginia, 1931, as amended, relating to residential solar
energy tax credits; applying credit to residential
installation of a solar energy system or systems; and
extending the tax credit until July 1, 2021.

Be it enacted by the Legislature of West Virginia:

That §11-13Z-1 and §11-13Z-3 of the Code of West Virginia,
1931, as amended, be amended and reenacted, to read as follows:

ARTICLE 13Z. RESIDENTIAL SOLAR ENERGY TAX CREDIT.

§11-13Z-1. Amount of credit.

Any taxpayer who installs or causes to be installed a solar
energy system or systems on property located in this state and
owned by the taxpayer and used as a residence after July 1, 2009,
shall be allowed a credit against the taxes imposed in article
twenty-one of this chapter in an amount equal to thirty percent of
the cost to purchase and install the system or systems up to a

1 maximum amount of \$2,000, for each installation.

2 **§11-13Z-3. Carryover credit allowed; Tax Commissioner to**
3 **promulgate rules.**

4 If the amount of the credit exceeds the taxpayer's liability
5 for the taxable year, the amount which exceeds the tax liability
6 may be carried over and applied as a credit against the tax
7 liability of the taxpayer pursuant to the provisions of article
8 twenty-one of this chapter to each of the next taxable years unless
9 sooner used.

10 The State Tax Commissioner shall promulgate legislative rules
11 pursuant to the provisions of chapter twenty-nine-a of this code
12 regarding the applicability, method of claiming of the credit,
13 recapture of the credit and documentation necessary to claim the
14 credit allowed by this article. No taxpayer shall take a credit
15 pursuant to this article for a solar energy system installed after
16 July 1, ~~2013~~ 2021.

NOTE: The purpose of this bill is to apply the residential solar energy tax credit of up to \$2,000 to each installation of a solar energy system. The bill extends the tax credit until July 1, 2021.

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