

Senate Bill No. 213

(By Senators Miller and Laird)

[Introduced January 8, 2014; referred to the Committee on Economic Development; and then to the Committee on 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, all 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, all 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~~ is allowed a credit against the taxes imposed in article

1 twenty-one of this chapter in an amount equal to thirty percent of
 2 the cost to purchase and install the system or systems up to a
 3 maximum amount of \$2,000, for each installation.

4 **§11-13Z-3. Carryover credit allowed; Tax Commissioner to**
 5 **promulgate rules.**

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

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