

**H. B. 2570**

(By Delegate Walters)

[Introduced February 3, 2015; referred to the  
Committee on Finance.]

**FISCAL  
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13C-17; and to amend said code by adding thereto a new section, designated §11-24-9d, all relating to a tax deduction allowed for capital expenditures from the corporate net income tax.

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

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §11-13C-17; and that said code be amended by adding thereto a new section, designated §11-24-9d, all to read as follows:

**ARTICLE 13C. BUSINESS INVESTMENT AND JOBS EXPANSION TAX CREDIT.**

**§11-13C-17. Tax deduction for replacing any capital expenditures; definitions; no carryover.**

(a) Capital expenditures means funds used by a company to acquire or upgrade physical assets such as property, industrial buildings or equipment including, but not limited to, repairing a roof, building a new factory or purchasing new computers.

1        (b) A tax deduction is allowed against the primary tax imposed by this code equal to the  
2 amount of money spent by a business or small business, as defined in this article, for all capital  
3 expenditures.

4        (c) A business or small business must apply the tax deduction to the tax year in which the  
5 capital expenditure was made.

6 **ARTICLE 24. CORPORATION NET INCOME TAX.**

7 **§11-24-9d. Tax deduction for replacing any capital expenditures; definitions; no carryover.**

8        (a) Capital expenditures means funds used by a company to acquire or upgrade physical  
9 assets such as property, industrial buildings or equipment including, but not limited to, repairing a  
10 roof, building a new factory or purchasing new computers.

11        (b) A deduction shall be allowed against the primary tax imposed by this article equal to the  
12 amount of money spent by a corporation for all capital expenditures.

13        (c) A corporation must apply the tax deduction to the tax year in which the capital  
14 expenditure was made.

NOTE: The purpose of this bill is to allow a deduction for all capital expenditures from the corporate net income tax.

§11-13C-17 and §11-24-9d are new; therefore, they have been completely underscored.