

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

Introduced

### House Bill 2156

FISCAL  
NOTE

BY DELEGATE ROWE AND PYLES

[Introduced January 9, 2019; Referred

to the Committee on Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §11-21-12j; and amending said code by adding thereto a new section,  
3 designated §11-24-23h, all relating to creating a tax credit for improving facades in historic  
4 districts; providing that individuals and corporations are entitled to a 25 percent tax credit  
5 of the replacement cost of historic facades; and setting forth conditions.

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

## **ARTICLE 21. PERSONAL INCOME TAX.**

### **§11-21-12j. Tax credit for improving facades in historic districts.**

1 In addition to amounts authorized to be subtracted from federal adjusted gross income  
2 pursuant to §11-21-12(c) of this code, 25 percent of the replacement cost of a facade of a building  
3 with no historic value which is located within a historic district, as that term is defined in §11-24-  
4 23b of this code, and which is to be replaced to complement the historic facades in the district,  
5 materially improving the overall historic appearance of the district, is also an authorized  
6 modification reducing federal adjusted gross income. However, the facade replacement must  
7 complement the facades of the historic buildings within the historic district, and not degrade the  
8 historic facades of the other buildings, and its design and construction plan must be approved in  
9 advance by the county commission or municipality.

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

### **§11-24-23h. Tax credit for improving facades in historic districts.**

1 The tax imposed by this article shall be offset by a credit equal to 25 percent of the  
2 replacement cost of a facade of a building with no historic value which is located within a historic  
3 district, as that term is defined in §11-24-23b of this code, and which is to be replaced to  
4 complement the historic facades in the district, materially improving the overall historic  
5 appearance of the district. The plan must be approved in advance by the county commission or  
6 municipality where the district is located.

NOTE: The purpose of this bill is to create a tax credit for improving facades in historic districts. The bill provides that individuals and corporations are entitled to a 25 percent tax credit of the replacement cost of a historic façade.

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