WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4749

By Delegates Keaton and Bates

[Introduced February 15, 2022; Referred to the Committee on Finance]

A BILL to amend and reenact §11-21-14 of the Code of West Virginia, 1931, as amended, all relating to reinstituting the standard deduction.

Be it enacted by the Legislature of West Virginia:

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-14. West Virginia standard deduction of a resident individual.

(a) General. -- The West Virginia standard deduction of a resident individual, or of husband and wife whose West Virginia taxable income is determined jointly, shall be ten per centum of West Virginia adjusted gross income or $1,000, whichever is less.

(b) Husband and wife determining income separately. -- The West Virginia standard deductions of husband and wife whose West Virginia taxable incomes are determined separately (whether or not on a single form) shall not exceed ten per centum of the aggregate of their separate West Virginia adjusted gross incomes or $1,000, whichever is less, but may be taken by either or divided between them in such proportions as they may elect.

(c) Expiration. -- The West Virginia standard deduction provided in this section shall not apply to taxable years beginning after December 31, 1986.

(d) Reinstitution of standard deduction. – Effective taxable years beginning after December 31, 2022, the West Virginia standard deduction of a resident individual on a single form shall be $10,000.

(e) Husband and wife determining income jointly. -- The West Virginia standard deductions of husband and wife whose West Virginia taxable incomes are determined jointly (whether or not on a single form) shall be $20,000.

(f) Husband and wife determining income separately. -- The West Virginia standard deductions of husband and wife whose West Virginia taxable incomes are determined separately (whether or not on a single form) shall not exceed $10,000 for each filer.

NOTE: The purpose of this bill is to reinstitute the standard deduction.

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