

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 4242

FISCAL
NOTE

BY DELEGATES KURCABA, BUTLER, WAGNER, ATKINSON,
STATLER, ELLINGTON, AZINGER, OVERINGTON, WAXMAN,
HOUSEHOLDER AND COOPER

[Introduced January 22, 2016; Referred
to the Committee on Education then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §11-21-25, relating to creating income tax credits against personal income tax
3 for educational expenses incurred by parents for a child under twenty-one years of age
4 and for expenses incurred by teachers for the purchase of supplementary educational
5 materials or professional development costs.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §11-21-25, to read as follows:

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-25. Education expenses tax credits.

1 (a) Credit allowed. - For those tax years beginning on or after January 1, 2016, there shall
2 be allowed a nonrefundable credit for any taxpayer against the taxes imposed by this article for
3 expenses incurred relative to the education of a child under the age of twenty-one who is resident
4 in the state or for expenses incurred for the purchase of supplementary education materials or
5 professional development costs incurred by a classroom teacher employed by a public or private
6 school.

7 (b) Amount of credit. - A taxpayer may claim a tax credit in an amount equal to the
8 expenses incurred per eligible dependent child not to exceed \$100 per child. A classroom teacher
9 employed by a public or private school may claim a tax credit in an amount equal to the expenses
10 incurred not to exceed \$250.

11 (c) Qualifying educational expenses. - Qualifying expenses include tuition and fees
12 charged by a public or private school or fees or costs associated with the education of a child
13 through graduation from a high school program including tutoring or instructional fees for
14 curricular, cocurricular and extra-curricular activities including private drivers education
15 instruction; costs relating to computer equipment including education related software and
16 services, textbooks, workbooks, curricula and other written or supplementary materials used for

17 curricular, cocurricular or extra-curricular instruction; expenses for curricular, cocurricular
18 activities or extra-curricular activities including equipment and participation related expenses for
19 camps or similar enrichment programs.

20 (d) *Unused credit.* - If any credit remains after application of subsection (c) of this section,
21 that amount is forfeited. A carryback to a prior taxable year is not allowed for the amount of any
22 unused portion of any annual credit allowance.

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NOTE: The purpose of this bill is to create income tax credits against personal income tax for educational expenses incurred by parents for a child under twenty-one years of age and for expenses incurred by teachers for the purchase of supplementary educational materials or professional development costs.

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