

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

Introduced

### House Bill 2208

FISCAL  
NOTE

BY DELEGATE SPONAUGLE AND LOVEJOY

[Introduced January 10, 2019; Referred  
to the Committee on Fire Departments and  
Emergency Medical Services then Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §11-21-12j, relating to providing certain members of volunteer fire departments  
 3 and rescue squads a \$5,000 modification reducing federal adjusted gross income for  
 4 personal income tax purposes.

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

**ARTICLE 21. PERSONAL INCOME TAX.**

**§11-21-12j. Additional modification reducing federal adjusted gross income for volunteer fire department and rescue squad members.**

1 (a) In addition to amounts authorized to be subtracted from federal adjusted gross income  
 2 pursuant to other sections of this article, a \$5,000 modification reducing federal adjusted gross  
 3 income is authorized for an active or auxiliary member of a volunteer fire department or rescue  
 4 squad if:

5 (1) The member has:

6 (A) Successfully completed the minimum training requirements of the West Virginia  
 7 University fire service extension firefighter training, section one, or its equivalent, and other  
 8 training required by the State Fire Commission; or

9 (B) Has received a certification as an emergency medical service personnel, under §16-  
 10 4C-1 et seq. of this code.

11 (2) The volunteer fire department or rescue squad has provided workers' compensation  
 12 coverage for the member during the year; and

13 (3) The member is on active status in the volunteer fire department as verified by the  
 14 president and chief of the volunteer fire department or the president and captain of the volunteer  
 15 rescue squad.

16 (b) The Tax Commissioner shall promulgate procedural rules providing the procedure a  
 17 member of a volunteer fire department and rescue squad must use to establish that the member  
 18 is qualified for the modification provided in this section.

NOTE: The purpose of this bill is to allow members of volunteer fire departments and rescue squads who have successfully completed required training and are covered by workers' compensation, a \$5,000 modification reducing federal adjusted gross income for personal income tax purposes.

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