WEST VIRGINIA LEGISLATURE

2024 SECOND EXTRAORDINARY SESSION

Introduced

House Bill 226

By Delegates Hanshaw (Mr. Speaker) and Hornbuckle  
(By Request of the Executive)

[Introduced September 30, 2024; Referred  
to the Committee on Finance]

A BILL to amend the Code of West Virginia, 1931, as amended; by adding thereto a new section, designated §11-21-26, providing for a child and dependent care credit against the personal income tax in the amount of 50 percent of the allowed federal tax credit provided under 26 U.S.C. § 21, and specifying retrospective effect.

Be it enacted by the Legislature of West Virginia:

ARTICLE 21. PERSONAL INCOME TAX.

§11-21-26 – Child and dependent care credit.

For tax years beginning on and after January 1, 2024, a person who is allowed a federal tax credit for child and dependent care pursuant to 26 U.S.C. § 21 is also allowed a nonrefundable credit against the tax imposed by W. Va. Code §11-21-1 *et seq* of this code*.* The amount of the credit allowed to the person claiming the credit under this section is 50 percent of the federal child and dependent care tax credit allowed to the person under the provisions of 26 U.S.C. § 21. This section shall have retrospective effect to apply to taxable years beginning on and after January 1, 2024.

NOTE: The purpose of this bill is to provide a credit against the personal income tax in the amount of 50% of the allowable federal child and dependent care credit, effective for tax years beginning on or after January 1, 2024.

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