

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4023**

By Delegate Hanshaw (Mr. Speaker) and Hornbuckle

[By Request of the executive]

Introduced January 15, 2026; referred to the

Committee on Finance]

1 A BILL to amend and update §11-24-3 of the Code of West Virginia, 1931, as amended, relating to  
2 bringing terms not defined in that act into conformity with the meaning of those terms for  
3 federal income tax purposes; and specifying effective dates.

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

## CHAPTER 11. TAXATION.

ARTICLE	24.	CORPORATION	NET	INCOME	TAX.
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### §11-24-3. Meaning of terms; general rule.

1 (a) Any term used in this article has the same meaning as when used in a comparable  
2 context in the laws of the United States relating to federal income taxes, unless a different  
3 meaning is clearly required by the context or by definition in this article. Any reference in this article  
4 to the laws of the United States means the provisions of the Internal Revenue Code of 1986, as  
5 amended, and any other provisions of the laws of the United States that relate to the determination  
6 of income for federal income tax purposes. All amendments made to the laws of the United States  
7 after December 31, 2023 2024, but prior to January 1, 2025 2026, shall be given effect in  
8 determining the taxes imposed by this article to the same extent those changes are allowed for  
9 federal income tax purposes, whether the changes are retroactive or prospective, but no  
10 amendment to the laws of the United States made on or after January 1, 2025 2026, shall be given  
11 any effect.

12 (b) The term "Internal Revenue Code of 1986" means the Internal Revenue Code of the  
13 United States enacted by the federal Tax Reform Act of 1986 and includes the provisions of law  
14 formerly known as the Internal Revenue Code of 1954, as amended, and in effect when the federal  
15 Tax Reform Act of 1986 was enacted that were not amended or repealed by the federal Tax  
16 Reform Act of 1986. Except when inappropriate, any reference in any law, executive order, or  
17 other document:

18 (1) To the Internal Revenue Code of 1954 includes a reference to the Internal Revenue

19 Code of 1986; and

20 (2) To the Internal Revenue Code of 1986 includes a reference to the provisions of law  
21 formerly known as the Internal Revenue Code of 1954.

22 (c) *Effective date.* — The amendments to this section enacted in the year 2025 2026 are  
23 retroactive to the extent allowable under federal income tax law. With respect to taxable years that  
24 began prior to January 1, 2025 2026, the law in effect for each of those years shall be fully  
25 preserved as to that year, except as provided in this section.

NOTE: The purpose of this bill is to amend and update §11-24-3 of the Code of West Virginia, 1931, as amended to bring terms not defined in that act into conformity with the meaning of those terms for federal income tax purposes; and specifying effective dates.

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