WEST VIRGINIA CODE CHAPTER 11 ARTICLE 6M

WV Legislature

§11-6M-1. Property Tax Treatment of Silicon and Silicon Carbide Manufacturing Equipment.

(a) Notwithstanding any other provision of this code to the contrary, for all assessments made on or after July 1, 2025, until July 1, 2035, the value of silicon and silicon carbide manufacturing equipment, for the purpose of ad valorem property taxation under this chapter, shall be its salvage value, being no more than five percent of its fair market value for which such equipment would sell in place if voluntarily offered for sale.

(b) As used in this article, "silicon and silicon carbide manufacturing equipment" means any personal or real property and fixtures thereon, which are designed, constructed, and installed primarily for the purpose of processing, concentrating, converting, transforming, or manufacturing silicon and silicon carbide into a raw material and directly and ancillary to the product process: *Provided*, That the personal or real property and fixtures used are not silicon and silicon carbide manufacturing equipment when it turns raw materials into finished goods through the use of tools or machinery, such as, without limitation, machining, casting, molding, or fabricating.

WV Legislature

§11-6M-2. Rulemaking and Administration by Tax Commissioner.

The State Tax Commissioner shall promulgate rules, including emergency rules, and create forms for the administration of this article. The Tax Commissioner shall have the authority to make inquiries and procure information necessary to establish the salvage valuation for such property. Such rules may provide, among other things, for the identification and certification of silicon and silicon carbide manufacturing equipment that is directly and ancillary to the product process, the determination of whether such equipment is real or personal property, the determination of methods for the allocation or separation of values where the silicon and silicon carbide manufacturing equipment produces non-critical materials as by-products with commercial value, and such other matters as may be related to the administration of this article.

WV Legislature

§11-6M-3. Effective Date and Sunset Date.

This article shall be effective for all assessments made on and after July 1, 2025, and shall be effective until July 1, 2035.

WV Legislature