WEST VIRGINIA CODE: §44B-5-503

§44B-5-503. Transfers from income to principal for depreciation.

- (a) In this section, "depreciation" means a reduction in value due to wear, tear, decay, corrosion or gradual obsolescence of a fixed asset having a useful life of more than one year.
- (b) A trustee may transfer to principal a reasonable amount of the net cash receipts from a principal asset that is subject to depreciation, under generally accepted accounting principles, but may not transfer any amount for depreciation:
- (1) Of that portion of real property used or available for use by a beneficiary as a residence or of tangible personal property held or made available for the personal use or enjoyment of a beneficiary;
- (2) During the administration of a decedent's estate; or
- (3) Under this section if the trustee is accounting under section four hundred three, article four of this chapter for the business or activity in which the asset is used.
- (c) An amount transferred to principal need not be held as a separate fund.