WEST VIRGINIA CODE: §5B-2E-6

§5B-2E-6. Agreement between department and approved company.

The department, upon final approval of an application by the Secretary, may enter into an agreement with any approved company with respect to its project. The terms and provisions of each agreement shall include, but not be limited to:

(1) The estimated amount of approved costs of the project that qualify for a sales tax credit, as provided in section seven or section seven-a of this article, as applicable. Within six months of the actual completion date, which, for purposes of this section, means the date on which the project is completed and opened to the public, the approved company shall document the actual cost of the project through a certification of the costs to the department by an independent certified public accountant acceptable to the department; and

(2) A date certain by which the approved company reasonably expects the project to be completed and to be opened to the public: *Provided*, That such date may be updated and amended as necessary, with the written approval of the department upon a submission by the approved company outlining the reason for amendment, and, if approved, the completion and opening of the project either prior to or after the initial proposed date shall not impact the qualification of the approved company for the tax credit as provided in §5B-2E-7 or §5B-2E-7a of this code.

WV Legislature