

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4971

BY DELEGATES CRISS, ANDERSON, COOPER, HECKERT,
FEHRENBACHER, STREET, YOUNG, HANSEN, HORST, AND

HOTT

[Passed March 7, 2024; in effect July 1, 2025.]

FILED

2024 MAR 27 A 11:06

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

HB 4971

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2024 MAR 27 A 11:07

FILED

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
2 designated §11-6M-1, §11-6M-2, and §11-6M-3, all relating to limiting property tax on
3 silicon and silicon carbide manufacturing property; providing for property tax treatment of
4 silicon and silicon carbide manufacturing property as its salvage value; providing for rule
5 making authority and administration by the Tax Commissioner; providing an effective date
6 for assessments on or after July 1, 2025; and providing a sunset date.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 6M. CRITICAL MATERIALS MANUFACTURING PROPERTY TAX
TREATMENT.**

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

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

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

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

1 The State Tax Commissioner shall promulgate rules, including emergency rules, and
2 create forms for the administration of this article. The Tax Commissioner shall have the authority

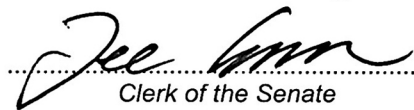
3 to make inquiries and procure information necessary to establish the salvage valuation for such
4 property. Such rules may provide, among other things, for the identification and certification of
5 silicon and silicon carbide manufacturing equipment that is directly and ancillary to the product
6 process, the determination of whether such equipment is real or personal property, the
7 determination of methods for the allocation or separation of values where the silicon and silicon
8 carbide manufacturing equipment produces non-critical materials as by-products with commercial
9 value, and such other matters as may be related to the administration of this article.

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

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

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.


Clerk of the House of Delegates

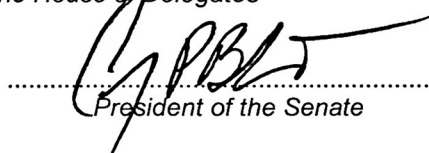

Clerk of the Senate

FILED
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Originated in the House of Delegates.

In effect July 1, 2025.


Speaker of the House of Delegates


President of the Senate

The within is approved this the 27th
Day of March 2024.


Governor

PRESENTED TO THE GOVERNOR

MAR 21 2024

Time 10:42am