



Dave Hardy
Secretary of Revenue

Matthew Irby
State Tax Commissioner

STATE TAX DEPARTMENT

ADMINISTRATIVE NOTICE 2021-24

ECONOMIC OPPORTUNITY TAX CREDIT

**Small Business Economic Opportunity Tax Credit
(Small Business Credit)
Notice of Inflation Adjustments for Tax Years
Beginning Prior to 2022**

The Small Business Economic Opportunity Tax Credit was terminated for any new investment occurring on or after January 1, 2022. This notice summarizes the previously published small business qualification criteria for all prior years.

A **"small business"** may claim the small business economic opportunity tax credit allowed under W. Va. Code § 11-13Q-10, when its qualified investment in real or tangible personal property purchased or leased for business expansion in this State, as defined in W. Va. Code § 11-13Q-8, results in the small business hiring new employees to fill at least ten (10) **"new jobs"** it created in this State as a direct result of the purchase or lease of the qualified investment property.

The law defined **"small business,"** as of June 11, 2002, to mean a business which has annual gross receipts of not more than seven million dollars (including the gross receipts of all affiliates in its controlled group) W. Va. Code § 11-13Q-10(a) (emphasis added).

"New job" was defined by incorporating the definition of **"new job"** in subsection 11-13Q-3(b)(15).

Dollar amounts stated in the definition of **"small business"** are subject to annual adjustment for inflation. This adjustment is determined by the State Tax Commissioner using the methodology described in subsection 11-13Q-10(a)(1) through (4).

Accordingly, for tax years beginning prior calendar year 2022:

"Small business" means a business which has annual gross receipts of the following amounts by year:

CRITERIA

Constraints Year	Gross Receipts
2003	\$ 7,000,000
2004	\$ 7,159,600
2005	\$ 7,324,500
2006	\$ 7,552,500
2007	\$ 7,846,850
2008	\$ 8,026,350
2009	\$ 8,368,450
2010	\$ 8,384,000
2011	\$ 8,507,850
2012	\$ 8,714,300
2013	\$ 8,938,250
2014	\$ 9,089,800
2015	\$ 9,233,450
2016	\$ 9,275,150
2017	\$ 9,349,750
2018	\$ 9,535,400
2019	\$ 9,766,100
2020	\$ 9,953,650
2021	\$10,096,800

Notice of this determination will be filed in the West Virginia Register.

Issued: December 9th, 2021



Matthew Irby
Tax Commissioner