

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 59.1-274 of the Code of Virginia, relating to enterprise zone*
3 *designation.*

4 [H 1057]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 59.1-274 of the Code of Virginia is amended and reenacted as follows:**

8 § 59.1-274. Enterprise zone designation.

9 A. The governing body of any county, city or town may make written application to the Department
10 to have an area or areas declared to be an enterprise zone. Such application shall include a description
11 of the location of the area or areas in question, and a general statement identifying proposed local
12 incentives to complement the state and any federal incentives. Two or more adjacent jurisdictions may
13 file a joint application for an enterprise zone lying in the jurisdictions submitting the application.

14 B. The Governor may approve upon the recommendation of the Director of the Department the
15 designation of up to fifty-five areas, of which five shall be designated as provided in subsection C, as
16 enterprise zones for a period of twenty years. Any county, city, or town shall be eligible to apply for
17 more than one enterprise zone designation; however, each county, city, and town shall be limited to a
18 total of three enterprise zones. One enterprise zone in any county, city or town may consist of two
19 noncontiguous zone areas; *however, a joint enterprise zone formed between any county with a*
20 *population between 45,800 and 45,900 and any county with a population between 32,300 and 32,400,*
21 *with the population of each such county being determined as reported in the 1990 census of the*
22 *population of the United States, may consist of the joint zone area and one additional noncontiguous*
23 *zone area in each of the adjacent jurisdictions that submitted the application for the joint enterprise*
24 *zone.* The size of the enterprise zone shall consist of the total of the ~~two~~ noncontiguous zone areas. The
25 ~~two~~ noncontiguous zone areas shall not be considered as separate zones for the purpose of calculating
26 the maximum number of zone designations established by this chapter. Any such area shall consist of
27 contiguous United States census tracts or block groups or any part thereof in accordance with the most
28 current United States Census or with the most current data from the Center for Public Service or the
29 local planning district commission. Any such area seeking designation as an enterprise zone shall also
30 meet at least one of the following criteria: (i) have twenty-five percent or more of the population with
31 incomes below eighty percent of the median income of the jurisdiction, (ii) have an unemployment rate
32 1.5 times the state average, or (iii) have a demonstrated floor area vacancy rate of industrial and/or
33 commercial properties of twenty percent or more.

34 C. Five of the areas designated as enterprise zones on or after July 1, 1999, shall be located in
35 localities that (i) have annual average unemployment rates for the most recent calendar year that are
36 fifty percent higher than the final statewide average unemployment rate for the most recent calendar year
37 or (ii) are within planning districts that have annual average unemployment rates for the most recent
38 calendar year that are at least one percent greater than the final annual statewide average for the most
39 recent calendar year. No area shall be designated as an enterprise zone pursuant to this subsection unless
40 it also meets all the other eligibility criteria established pursuant to this chapter.

ENROLLED

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