

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 [S 281]

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 may consist of the joint zone area and one*
20 *additional noncontiguous zone area in each of the adjacent jurisdictions that submitted the application*
21 *for the joint enterprise zone.* The size of the enterprise zone shall consist of the total of the ~~two~~
22 noncontiguous zone areas. The ~~two~~ noncontiguous zone areas shall not be considered as separate zones
23 for the purpose of calculating the maximum number of zone designations established by this chapter.
24 Any such area shall consist of contiguous United States census tracts or block groups or any part thereof
25 in accordance with the most current United States Census or with the most current data from the Center
26 for Public Service or the local planning district commission. Any such area seeking designation as an
27 enterprise zone shall also meet at least one of the following criteria: (i) have twenty-five percent or
28 more of the population with incomes below eighty percent of the median income of the jurisdiction, (ii)
29 have an unemployment rate 1.5 times the state average, or (iii) have a demonstrated floor area vacancy
30 rate of industrial and/or commercial properties of twenty percent or more.

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

38 **2. That an emergency exists and this act is in force from its passage.**

ENROLLED

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