

# 2004 SESSION

## HOUSE SUBSTITUTE

042625448

### SENATE BILL NO. 367

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Finance  
on February 23, 2004)

(Patron Prior to Substitute—Senator Watkins)

*A BILL to amend and reenact § 58.1-3823 of the Code of Virginia, relating to additional transient occupancy tax for certain counties.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 58.1-3823 of the Code of Virginia is amended and reenacted as follows:**

§ 58.1-3823. Additional transient occupancy tax for certain counties.

A. In addition to such transient occupancy taxes as are authorized by §§ 58.1-3819 through 58.1-3822, any county having a population of at least 63,300 but not more than 65,000 or at least 200,000 but not more than 210,000 or any county having the county manager form of government may impose:

1. An additional transient occupancy tax not to exceed four percent of the amount of the charge for the occupancy of any room or space occupied. The tax imposed hereunder shall not apply to rooms or spaces rented and continuously occupied by the same individual or same group of individuals for thirty or more days. The revenues collected from the additional tax shall be designated and spent for promoting tourism, travel or business that generates tourism or travel in the Richmond metropolitan area; and

2. An additional transient occupancy tax not to exceed two percent of the amount of the charge for the occupancy of any room or space occupied. The tax imposed hereunder shall not apply to rooms or spaces rented and continuously occupied by the same individual or same group of individuals for thirty or more days. The revenues collected from the additional tax shall be designated and spent for expanding the Richmond Centre, a convention and exhibition facility in the City of Richmond.

3. *An additional transient occupancy tax not to exceed one percent of the amount of the charge for the occupancy of any room or space occupied. The tax imposed hereunder shall not apply to rooms or spaces rented and continuously occupied by the same individual or group of individuals for 30 or more days. The revenues collected from the additional tax shall be designated and appropriated as follows: (i) 70 percent of such revenues shall be designated and appropriated for debt service for the Virginia Performing Arts Foundation's facilities in Richmond; and (ii) 30 percent of such revenues shall be designated and appropriated to advertise, promote, or provide incentives to attract convention business to the Richmond metropolitan area.*

B. In addition to such transient occupancy taxes as are authorized by §§ 58.1-3819 through 58.1-3822, any county with the county manager plan of government may impose an additional transient occupancy tax not to exceed two percent of the amount of the charge for the occupancy of any room or space occupied, provided the county's governing body approves the construction of a county conference center. The tax imposed hereunder shall not apply to rooms or spaces rented and continuously occupied by the same individual or same group of individuals for thirty or more days. The revenues collected from the additional tax shall be designated and spent for the design, construction, debt payment, and operation of such conference center.

C. The county tax limitations imposed pursuant to § 58.1-3711 shall apply to any tax levied under this section, mutatis mutandis.

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