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HOUSE JOINT RESOLUTION NO. 77

Offered January 11, 2006

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Directing the Virginia Coal and Energy Commission to study potential legislation authorizing a locality to provide for a real estate tax break for buildings constructed in compliance with Leadership in Energy and Environmental Design standards. Report.

Patron—Ware, O.

Referred to Committee on Rules

WHEREAS, buildings designed and constructed with energy efficient and sustainable principles help to reduce the Commonwealth's energy demand; and

WHEREAS, a reduction in energy demand benefits the citizens of the Commonwealth by reducing the amount of pollution emitted from power plants in the Commonwealth and may help offset the need for the construction of new power plants; and

WHEREAS, design and construction of buildings that meet the energy efficiency and sustainable design requirements for Leadership in Energy and Environmental Design (LEED) certification require a greater initial investment on the part of the owner of the building; and

WHEREAS, offering localities the option of reducing the real estate tax liability for those individuals and entities that design and construct buildings that meet the LEED certification requirements would promote greater participation in the LEED certification program; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Coal and Energy Commission be directed to study potential legislation authorizing a locality to provide for a real estate tax break for buildings constructed in compliance with Leadership in Energy and Environmental Design standards.

In conducting its study, the Virginia Coal and Energy Commission shall (i) review the certification procedures for meeting LEED requirements for sustainable building design and construction, (ii) identify the taxable entities that would qualify for preferential tax treatment for obtaining LEED certification in new and existing buildings, and (iii) identify the appropriate amount and type of tax relief that would best provide an incentive for and reward individuals and other entities that chose to meet LEED certification requirements.

The Office of the Clerk of the House of Delegates shall provide administrative staff support. The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Virginia Coal and Energy Commission. Technical assistance shall be provided to the Virginia Coal and Energy Commission by the Department of Mines, Minerals and Energy. All agencies of the Commonwealth shall provide assistance to the Virginia Coal and Energy Commission for this study, upon request.

The Virginia Coal and Energy Commission shall complete its meetings by November 30, 2006, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2007 Regular Session of the General Assembly. The executive summary shall state whether the Virginia Coal and Energy Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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