

2008 SESSION

INTRODUCED

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HOUSE BILL NO. 699

Offered January 9, 2008

Prefiled January 8, 2008

A *BILL to amend the Code of Virginia by adding a section numbered 58.1-3221.4, relating to classification of real property for tax purposes.*

Patron—BaCote

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 58.1-3221.4 as follows:

§ 58.1-3221.4. *Classification of real property for tax purposes.*

A.1. *Commercial or industrial real property is hereby declared to be a separate class of real property and shall constitute a classification for local taxation separate from other classifications of real property. Commercial or industrial real property is real property used for or zoned to permit commercial or industrial uses. Such classification of real property shall exclude all residential property as defined in § 6.1-409. The governing body of any county, city, or town may, by ordinance, levy a tax on such residential property at a different rate from that of tax levied on other real property.*

2. *Single family dwellings used or occupied, or intended to be used or occupied for residential purposes, are hereby declared to be a separate class of real property and shall constitute a classification for local taxation separate from other classifications of real property. The governing body of any county, city, or town may, by ordinance, levy a tax on such residential property at a different rate from that of tax levied on other real property.*

3. *Multifamily dwellings used or occupied, or intended to be used or occupied for residential purposes, are hereby declared to be a separate class of real property and shall constitute a classification for local taxation separate from other classifications of real property. The governing body of any county, city, or town may, by ordinance, levy a tax on such residential property at a different rate from that of tax levied on other real property.*

B. *If any locality embraced by the Northern Virginia Transportation Authority or the Hampton Roads Transportation Authority pursuant to § 58.1-3221.3 is not imposing the maximum tax permitted the locality under that section then the following condition applies to that locality. Anytime that the locality's tax rate for real property under subdivision A 1 is greater than the tax rate for real property under subdivision A 2, the amount of revenue attributable to the incremental amount of revenue attributable to the higher rate shall first be used in accordance with § 58.1-3221.3 until such incremental revenue, plus any revenue attributable to a tax being imposed pursuant to § 58.1-3221.3, equals the revenue that would be attributable to the maximum tax permitted the locality pursuant to § 58.1-3221.3.*

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