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SENATE BILL NO. 334

Offered January 9, 2008

Prefiled January 8, 2008

A *BILL to amend and reenact § 58.1-3912 of the Code of Virginia, relating to property tax bills; to include additional information.*

 Patron—Cuccinelli

 Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:**1. That § 58.1-3912 of the Code of Virginia is amended and reenacted as follows:**

§ 58.1-3912. Treasurers to mail certain bills to taxpayers; penalties; electronic transmission.

A. The treasurer of every city and county shall, as soon as reasonably possible in each year, but not later than 14 days prior to the due date of the taxes, send or cause to be sent by United States mail to each taxpayer assessed with taxes and levies for that year a bill or bills setting forth the amounts due. *For real property tax bills, the bill shall clearly identify each piece of property for which tax is owed by address, and by the official tax map identification number.* The treasurer may elect not to send a bill amounting to \$20 or less as shown by an assessment book in such treasurer's office. The treasurer may employ the services of a mailing service or other vendor for fulfilling the requirements of this section. The failure of any such treasurer to comply with this section shall be a Class 4 misdemeanor. Such treasurer shall be deemed in compliance with this section as to any taxes due on real estate if, upon certification by the obligee of any note or other evidence of debt secured by a mortgage or deed of trust on such real estate that an agreement has been made with the obligor in writing within the mortgage or deed of trust instrument that such arrangements be made, he mails the bill for such taxes to the obligee thereof. Upon nonpayment of taxes by either the obligee or obligor, a past-due tax bill will be sent to the taxpayer. No governing body shall publish the name of a taxpayer in connection with a tax debt for which a bill was not sent, without first sending a notice of deficiency to his last known address at least two weeks before such publication.

B. The governing body of ~~any~~ *each* county, city or town ~~may~~ *shall* attach to or mail with all real estate and tangible personal property tax bills, prepared for taxpayers in such locality, ~~information~~ *indicating how the tax rate charged upon such property and revenue derived therefrom is apportioned among the various services and governmental functions provided by the locality (i) the current year's tax rates, assessed value of the property, and tax amounts that are owed, (ii) the previous year's tax rates, assessed value of the property, and tax amounts that were owed, (iii) if the current year's tax rate has changed from the previous year's tax rate, the total amount of tax that would be owed if the tax rate had not changed, and (iv) for real estate, if the current year's assessed value has changed from the previous year's assessed value, the total amount of tax that would be owed if the assessed value had not changed. The governing body of each county, city or town shall also attach to or mail with all real estate and tangible personal property tax bills, how the specific amount in each tax bill will be apportioned, both by percentage and monetary amounts, in the fiscal year to pay for the highest five major categories of expenditures of the locality for the applicable year, including debt service where applicable, with the remaining amount captured in a sixth category entitled "other."*

C. Notwithstanding the provisions of subsection A of this section, in any county which has adopted the urban county executive form of government, and in any county contiguous thereto which has adopted the county executive form of government, tangible personal property tax bills shall be mailed not later than 30 days prior to the due date of such taxes.

D. Notwithstanding the provisions of subsection A of this section, any county and town, the governing bodies of which mutually agree, shall be allowed to send, to each taxpayer assessed with taxes, by United States mail no later than 14 days prior to the due date of the taxes, a single real property tax bill and a single tangible personal property tax bill.

E. Beginning with tax year 2006, in addition to all other information currently appearing on tangible personal property tax bills, each such bill required to be sent pursuant to subsection A shall state on its face (i) whether the vehicle is a qualifying vehicle as defined in § 58.1-3523; (ii) a statement indicating the reduced tangible personal property tax rates applied to qualifying vehicles resulting from the Commonwealth's reimbursements for tangible personal property tax relief pursuant to § 58.1-3524, and the locality's tangible personal property tax rate for its general class of tangible personal property, provided that such statement shall not be required for tax bills in any county, city, or town that will not receive any reimbursement pursuant to subsection B of § 58.1-3524; (iii) the vehicle's registration

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59 number pursuant to § 46.2-604; (iv) the amount of tangible personal property tax levied on the vehicle;
60 and (v) if the locality prorates personal property tax pursuant to § 58.1-3516, the number of months for
61 which a bill is being sent.

62 F. Notwithstanding the provisions of subsection A, the treasurer, consistent with guidelines
63 promulgated by the Department of Taxation implementing the provisions of subdivision 2 of
64 § 58.1-1820, may convey, with the written consent of the taxpayer, any tax bill by electronic means
65 chosen by the taxpayer, including without limitation facsimile transmission or electronic mail (e-mail), in
66 lieu of posting such bill by first-class mail. The treasurer conveying a bill by means authorized in this
67 subsection shall maintain a copy (in written form or electronic media) of the bill reflecting the date of
68 transmission until such time as the bill has been satisfied or otherwise removed from the treasurer's
69 books by operation of law. Transmission of a bill pursuant to this subsection shall have the same force
70 and effect for all purposes arising under this subtitle as mailing to the taxpayer by first-class mail on the
71 date of transmission.

72 G. Any solid waste disposal fee imposed by a county may be attached to, mailed with, or stated on
73 the appropriate real estate tax bill.