

DEPARTMENT OF TAXATION

2008 Fiscal Impact Statement

1. **Patron** Mamye E. BaCote

2. **Bill Number** HB 698

3. **Committee** Senate Finance

House of Origin:

 Introduced

 Substitute

 Engrossed

4. **Title** Real Property Tax; Exemption and Deferral
for the Elderly and Permanently and Totally
Disabled in the City of Newport News.

Second House:

 X **In Committee**

 Substitute

 Enrolled

5. **Summary/Purpose:**

This bill would add the Cities of Hampton and Newport News and the Counties of Hanover and Powhatan to the cities and counties that may provide real estate tax exemptions or deferrals to the elderly or disabled with a maximum income limitation of \$62,000 and a maximum combined net worth limitation of \$350,000.

Currently, Cities of Hampton and Newport News and the Counties of Hanover and Powhatan are authorized to use a maximum income limitation of \$50,000 and a maximum combined net worth limitation of \$200,000. The Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach and the Counties of Chesterfield, Goochland, and Henrico are currently authorized to increase their income limits to \$62,000 and their net worth limits to \$350,000.

This effective date of this bill is not specified.

6. **Fiscal Impact Estimates are:** Not available. (See Line 8.)

7. **Budget amendment necessary:** No.

8. **Fiscal implications:**

This bill would have no impact on TAX's administrative costs or on state revenues. If the Cities of Hampton and Newport News and the Counties of Hanover and Powhatan use the authority granted by this bill to increase their maximum income and wealth limitations, they may lose revenue as more taxpayers may qualify for its exemption/deferral programs.

9. **Specific agency or political subdivisions affected:**

Cities of: Hampton and Newport News

Counties of: Hanover and Powhatan

10. Technical amendment necessary: No.

11. Other comments:

Current Law

The exemption/deferral programs for the elderly or handicapped provide tax relief for persons sixty-five years of age or older and for those who are permanently and totally disabled. The governing body of any locality may elect to adopt an exemption program, a deferral program, a combination of both, or none of the above. Income and net financial worth restrictions were incorporated in the exemption/deferral programs to direct tax relief to those whose incomes and financial worth were sufficiently low to merit such relief.

In order to qualify for a real estate tax exemption or deferral, an elderly or disabled individual's total combined gross income from all sources, including the income of relatives living in the dwelling may not exceed \$50,000 during the previous year. The net combined financial worth of the applicant and spouse may not exceed \$200,000, but localities may annually increase net worth limitations by a percentage equal to the Consumer Price Index to account for inflation.

Several localities are authorized to use higher total income and combined net worth limits.

The following cities and counties are authorized to increase their income limits to \$62,000 and their net worth limits to \$350,000:

- Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach
- Counties of Chesterfield, Goochland, and Henrico

In 2007, the General Assembly increased the income limitation for these localities from \$52,000 to \$62,000.

The following cities and counties are authorized to increase their income limits to \$75,000 and their net worth limits to \$540,000:

- Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park
- Counties of Arlington, Clarke, Fairfax, Fauquier, Loudoun, Prince William, and Stafford

In 2007, the General Assembly increased the income limitation for these localities from \$72,000 to \$75,000.

Proposal

This bill would add the Cities of Hampton and Newport News and the Counties of Hanover and Powhatan to the list of cities and counties who may provide real estate tax

exemptions or deferrals to the elderly or disabled with a maximum income limitation of \$62,000 and a maximum combined net worth limitation of \$350,000.

Similar Bills

Senate Bill 203 would raise the maximum income eligibility restrictions from \$62,000 to 67,000 in the Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach and the Counties of Chesterfield, Goochland, and Henrico.

House Bill 163 would authorize localities to allow by ordinance a real property tax exemption or deferral to an elderly or handicapped based on the applicant's current year's income and financial worth.

House Bill 1479 would allow exemption and deferral programs for the elderly and handicapped to include the income of nonrelatives living in the applicant's dwelling, except for bona fide tenants or bona fide caregivers, when computing the maximum income limits to be eligible for the tax relief.

House Bill 1503 would raise the maximum income eligibility restrictions from \$62,000 to 67,000 in the Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach and the Counties of Chesterfield, Goochland, and Henrico.

Senate Bill 283 would add the City of Newport News to the list of cities and counties authorized to use an income limitation of \$62,000 and a net worth limitation of \$350,000 to qualify for real estate tax relief and increase the income limitation to \$67,000.

cc : Secretary of Finance

Date: 2/15/2008 jkl
HB698FEH1161