

2009 SESSION

INTRODUCED

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HOUSE BILL NO. 2250

Offered January 14, 2009

Prefiled January 14, 2009

A *BILL to amend and reenact § 58.1-3712 of the Code of Virginia, relating to severance tax on coal, gas, sand, marl, and gravel.*

Patron—Barlow

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3712 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3712. Counties and cities authorized to levy severance tax on coal, gases, sand, marl, and gravel.

The governing body of any county or city may levy a license tax on every person engaging in the business of severing coal ~~or~~, gases, *sand, marl, or gravel* from the earth. Such tax shall be at a rate not to exceed one percent of the gross receipts from the sale of coal ~~or~~, gases, *sand, marl, or gravel* severed within such county. Such gross receipts shall be the fair market value measured at the time such coal, ~~or~~ gases, *sand, marl or gravel* are utilized or sold for utilization in such county or city or at the time they are placed in transit for shipment therefrom, provided that if the tax provided herein is levied, such county or city cannot enact the provisions of § 58.1-3286 relating to a tax on gross receipts. In calculating the fair market value, no person engaging in the production and operation of severing gases from the earth in connection with coal mining shall be allowed to take deductions, including but not limited to, depreciation, compression, marketing fees, overhead, maintenance, transportation fees, and personal property taxes.

Any county or city enacting a license tax under this section may require producers of coal ~~or~~, gas, *sand, marl, or gravel* and common carriers to maintain records and file reports showing the quantities of and receipts from coal, ~~or~~ gases, *sand, marl, or gravel* which they have produced or transported.

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