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**HOUSE BILL NO. 1566**

Offered January 9, 2013

Prefiled January 4, 2013

A *BILL to amend and reenact §§ 58.1-814 and 58.1-3800 of the Code of Virginia, relating to local recordation tax used to provide affordable shelter.*

\_\_\_\_\_  
Patron—Orrock

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Referred to Committee on Finance

**Be it enacted by the General Assembly of Virginia:**

1. **That §§ 58.1-814 and 58.1-3800 of the Code of Virginia are amended and reenacted as follows:**  
**§ 58.1-814. City or county recordation tax.**

In addition to the state recordation tax imposed by this chapter, the council of any city and the governing body of any county may, pursuant to Chapter 38 (~~§ 58.1-3800 et seq.~~) of this title, impose a city or county recordation tax in an amount equal to one-third of the amount of state recordation tax taxes in accordance with the provisions of Chapter 38 (§ 58.1-3800 et seq.).

**§ 58.1-3800. Levy.**

A. In addition to the state recordation tax imposed by Chapter 8 (§ 58.1-800 et seq.) of this title, the governing body of any city or county is hereby authorized to impose a recordation tax, in an amount equal to one-third of the amount of the state recordation tax collectible for the Commonwealth, upon the first recordation of each taxable instrument in such city or county.

B. *In addition to the tax imposed pursuant to subsection A, the governing body of any city or county is hereby authorized to impose a recordation tax, in an amount equal to one-tenth of the amount of the state recordation tax collectible for the Commonwealth, upon the first recordation of each taxable instrument in such city or county. The revenue from such tax shall be used solely for the purpose of providing affordable shelter through the means authorized under §§ 15.2-2304 and 15.2-2305.*

*The tax under this subsection may be levied only if the tax is approved in a referendum within the city or county, which shall be held in accordance with § 24.2-684 and initiated either by a resolution of the board of supervisors or on the filing of a petition signed by a number of registered voters of the county equal in number to 10 percent of the number of voters registered in the city or county, as appropriate on January 1 of the year in which the petition is filed with the court of such city or county. The clerk of the circuit court shall publish notice of the election in a newspaper of general circulation in the city or county once a week for three consecutive weeks prior to the election. The ballot question on the tax shall include language stating the purposes for which the revenue shall be used. If the voters affirm the levy of the tax, and the local governing body votes to impose it, the tax shall be effective as prescribed by ordinance.*

C. No tax shall be levied under this section when the state recordation tax imposed under Chapter 8 (§ 58.1-800 et seq.) is  ~~fifty~~ 50 cents (\$0.50).

INTRODUCED

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