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HOUSE BILL NO. 1958

Offered January 9, 2013

Prefiled January 9, 2013

A *BILL to amend and reenact § 58.1-3901 of the Code of Virginia, relating to transmission of motor vehicle registration forms to the commissioner of revenue by owners or operators of apartment houses, and by certain residential associations.*

Patron—Brink

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-3901 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-3901. Apartment house, office building, shopping center, trailer camp, trailer court, self-service storage facility, marina, airport, and other owners or operators to file lists of tenants.

A. Every person owning or operating any apartment house or any office building or shopping center or any trailer camp or trailer court or marina or privately owned or operated airport in the Commonwealth shall, on or before February 1 of each year, upon request of the commissioner of the revenue of the county or city in which any such apartment house, office building, shopping center, trailer camp, trailer court, marina, or airport is located, file with such commissioner of the revenue a list giving the name and address of every tenant of such apartment house, office building, shopping center, trailer camp, or trailer court, and the name and address of every person renting space in a marina for waterborne craft and at a privately owned or operated airport for airborne craft as of January 1 preceding.

The governing body of any county adjoining a county having a population of more than 1,000 per square mile may require like information from any such person leasing houses for rent, and violation of any such ordinance requiring the same may be punished as hereinafter provided.

In addition, upon the written request of the commissioner of the revenue, every person owning or operating an apartment house shall give motor vehicle registration forms provided by the commissioner of revenue to every tenant of the apartment house, and require that such forms be completed and returned to the owner or operator of the apartment house. The owner or operator shall deliver or mail such forms to the commissioner of the revenue. At the election of the commissioner of the revenue, transmission of the forms may be accomplished electronically.

B. Every property owners' association established pursuant to the Property Owners' Association Act (§ 55-508 et seq.), condominium unit owners' association established pursuant to the Condominium Act (§ 55-79.39 et seq.), and proprietary lessees' association established pursuant to the Virginia Real Estate Cooperative Act (§ 55-424 et seq.) shall, upon the written request of the commissioner of the revenue, provide a list of the owners of the properties administered by such association, to the extent that the association maintains such a list, to the commissioner for use in administering local property taxes. *In addition, upon the written request of the commissioner of the revenue, all such associations shall give motor vehicle registration forms provided by the commissioner of revenue to such owners and require that such forms be completed and returned to the association. The association shall deliver or mail such forms to the commissioner of the revenue. At the election of the commissioner of the revenue, transmission of the forms may be accomplished electronically.*

Every person owning or operating any self-service storage facility, as defined in § 55-417, that makes the outdoor common area of such facility available for storage of tangible personal property (including without limitation motor vehicles, trailers, and watercraft) on a rental or leased basis in the Commonwealth shall, on or before February 1 of each year, upon the written request of the commissioner of the revenue of the county or city in which such self-service storage facility is located, file with such commissioner of the revenue a list giving the name and address of every person renting or leasing space within the outdoor common area of such self-service storage facility as of January 1 preceding.

D. Any person failing to comply with this section shall be guilty of a Class 4 misdemeanor.

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