

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 58.1-3284.4, relating to real*
3 *property tax; special and separate assessment of open space in certain localities.*

4 [H 1204]
5 Approved

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

7 **1. That the Code of Virginia is amended by adding a section numbered 58.1-3284.4 as follows:**

8 **§ 58.1-3284.4. *Special and separate assessment of open space in certain counties.***

9 *A. This section applies to any county whose population according to the July 1, 2016, population*
10 *estimates produced by the Weldon Cooper Center for Public Service of the University of Virginia is 14*
11 *percent or greater than its population according to the 2010 federal census.*

12 *B. Whenever real property is assessed or reassessed in any county described in subsection A, the*
13 *commissioner of the revenue or other assessing official shall, at the request of the property owner,*
14 *determine fair market value by specially and separately assessing any real estate devoted to open-space*
15 *use, as defined in § 58.1-3230, that contains at least 20 acres. When the real estate devoted to*
16 *open-space use is specially and separately assessed, the commissioner of the revenue or other assessing*
17 *official shall set forth upon the land books (i) the area and fair market value of such portion of each*
18 *tract consisting of real estate devoted to open space use and (ii) the area and fair market value of the*
19 *remaining portion of each tract. The actual physical use of the property shall be the only determining*
20 *factor of its land use value.*

21 **2. That the provisions of this act shall be effective for taxable years beginning on or after January**
22 **1, 2018.**

ENROLLED

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