

**DEPARTMENT OF TAXATION
2018 Fiscal Impact Statement**

1. **Patron** Robert D. Orrock, Sr.

3. **Committee** Senate Finance

4. **Title** Boards of Equalization; Term Extension

2. **Bill Number** HB 1495

House of Origin:

 Introduced

 Substitute

 Engrossed

Second House:

 X **In Committee**

 Substitute

 Enrolled

5. Summary/Purpose:

This bill would allow for an extension of the term for a board of equalization appointed by a circuit court. It provides that if a taxpayer applies to the commissioner of the revenue or other assessing official for relief from a real property tax assessment prior to the expiration of the board of equalization's term, and the term of the board of equalization expires prior to a final determination on such application for relief, and the taxpayer advises the circuit court that he wishes to appeal the determination to the board of equalization, then the circuit court may reappoint the board of equalization to hear and act on such appeal.

Under current law, the term of a board of equalization appointed by a circuit court expires one year after the effective date of the assessment for which it was appointed.

The effective date of this bill is not specified

6. **Budget amendment necessary:** No

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

8. Fiscal implications:

Administrative Costs

There could be unknown administrative costs to localities as a result of this bill.

This bill would have no impact on state administrative costs.

Revenue Impact

There could be an unknown revenue impact to localities as a result of this bill.

This bill would have no impact on state revenues.

9. Specific agency or political subdivisions affected:

All counties and cities in which a board of equalization is appointed by the circuit court.

10. Technical amendment necessary: No

11. Other comments:

Background

Under current law, a circuit court within each city and each county, or the board of supervisors in a county with a county executive or county manager form of government, must appoint a board of equalization to hear appeals of real property assessments in each tax year immediately following the year of a general reassessment or annual or biennial assessment.

Alternatively, any county or city that uses the annual assessment method or the biennial assessment method, may elect to create a permanent board of equalization to hear appeals of real property assessments.

Boards of equalization are established for the purpose of hearing complaints of inequalities wherein the property owners allege a lack of uniformity in assessment, or errors in acreage in such real estate assessments.

Currently, the term for any appointed board of equalization expires after one year.

Proposal

This bill would allow for an extension of the term for a board of equalization appointed by a circuit court. It provides that if a taxpayer applies to the commissioner of the revenue or other assessing official for relief from a real property tax assessment prior to the expiration of the board of equalization's term, and the term of the board of equalization expires prior to a final determination on such application for relief, and the taxpayer advises the circuit court that he wishes to appeal the determination to the board of equalization, then the circuit court may reappoint the board of equalization to hear and act on such appeal.

The effective date of this bill is not specified.

Similar Legislation

House Bill 190 would provide that the date an applicant sends an application electronically for an appeal to a board of equalization would be considered the date of receipt by the governing body.

House Bill 787 would revise the burden of proof standard in cases appealing local real property tax assessments before a board of equalization.

cc : Secretary of Finance

