

DEPARTMENT OF TAXATION

2018 Fiscal Impact Statement

1. **Patron** L. Louise Lucas

2. **Bill Number** SB 108

3. **Committee** Senate Courts of Justice

House of Origin:

 X **Introduced**

 Substitute

 Engrossed

4. **Title** Orders of Publication in Proceedings Brought
by Localities Seeking to Enforce Tax Liens

Second House:

 In Committee

 Substitute

 Enrolled

5. **Summary/Purpose:**

This bill would change the procedure required for orders of publication in proceedings brought by any county, city or town to enforce liens for taxes assessed upon real estate that has an assessed value of \$50,000 or less. The order would not need to be published more than once for such property.

For real estate with an assessed value of \$10,000 or less, the court would be permitted to order any alternative form of and forum for publication that will reasonably provide notice to all interested parties.

Under current law, whenever an order of publication is entered in any proceeding brought by any county, city or town to enforce a lien for taxes assessed upon real estate, such order does not need to be published more than once a week for two successive weeks.

6. **Budget amendment necessary:** No

7. **Fiscal Impact Estimates are:** Unavailable. (See Line 8.)

8. **Fiscal implications:**

This bill could have an unknown positive impact on local revenues. It would have no impact on state revenues.

9. **Specific agency or political subdivisions affected:** All counties, cities and towns.

10. **Technical amendment necessary:** No

11. **Other comments:**

Current Law

All real estate is subject to local taxation unless a specific exemption applies. Under Va. Code § 58.1-3340, there is a lien on real estate for the payment of taxes and levies

assessed thereon superior to any other lien or encumbrance until payment is made to the proper officer of the taxing authority.

Under current law, whenever an order of publication is entered in any proceeding brought by any county, city or town to enforce a lien for taxes assessed upon real estate, such order need not be published more than once a week for two successive weeks.

Proposal

This bill would change this requirement for property that has an assessed value of \$50,000 or less whenever an order of publication is entered in any proceeding brought by any county, city or town to enforce a lien for taxes assessed upon the real estate. The order would not need to be published more than once.

For real estate with an assessed value of \$10,000 or less, the court would be permitted to order any alternative form of and forum for publication that will reasonably provide notice to all interested parties.

cc : Secretary of Finance

Date: 1/13/2018 SK
SB108F161