

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 896

An Act to amend and reenact Chapter 436 of the Acts of Assembly of 1990, carried by reference in the Code of Virginia as § 58.1-3821, relating to the authority of certain counties to adopt a new transient occupancy tax.

[H 474]

Approved April 20, 1994

Be it enacted by the General Assembly of Virginia:

1. That Chapter 436 of the Acts of Assembly of 1990, carried by reference in the Code of Virginia as § 58.1-3821, is amended and reenacted as follows:

§ 58.1-3821. Transient occupancy tax on certain rentals.

The County of Franklin *and any county with a population of at least 12,500 but no more than 12,800* may, by ordinance, levy a transient occupancy tax on condominiums, apartments, townhouses, or like buildings when rooms or units in such buildings are rented for occupancy for fewer than thirty days at a time. The tax imposed hereunder shall not apply to rooms or units rented for continuous occupancy by the same individual or group for thirty or more days in condominiums, apartments, townhouses, or like buildings.

Such tax shall be in an amount and on such terms as the governing body, by ordinance, may prescribe; however, such tax shall not exceed two percent of the amount of charge for the occupancy of any room or space occupied. Any county which imposes the tax authorized in this section may allow the businesses collecting, accounting for, and remitting such consumer tax a commission for such service in the form of a deduction from the tax remitted. The commission amount shall be established by ordinance; however, the maximum commission payable shall not exceed five percent of the amount of tax due and accounted for nor be less than a minimum of three percent of the amount of tax due. No commission shall be allowed if the amount due was delinquent.

2. That the provisions of this act shall not become effective unless the voters of the county referenced in the act approve of the act's provisions in a referendum before the end of 1995; and provided further, that the Board of Supervisors of the county may schedule such referendum on a date of their choosing.