

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 58.1-3340 of the Code of Virginia, relating to the responsibility of a*
3 *purchaser of real estate to apply sale proceeds to unpaid taxes.*

4 [H 437]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 58.1-3340 of the Code of Virginia is amended and reenacted as follows:**8 § 58.1-3340. Lien on real estate for taxes and levies assessed thereon; responsibility of purchaser at
9 sale; lien on rents.

10 There shall be a lien on real estate for the payment of taxes and levies assessed thereon prior to any
11 other lien or encumbrance. The lien shall continue to be such prior lien until actual payment shall have
12 been made to the proper officer of the taxing authority. The purchaser at a sale shall ~~see that~~ *cause* the
13 proceeds ~~are to be~~ applied to the payment of all taxes and levies assessed on real estate, the provisions
14 of § 55-59.4 notwithstanding, *and in the case of the purchase of a portion of a tract of land, shall cause*
15 *the proceeds to be applied to the payment of taxes and levies assessed on the entire tract, prorated in*
16 *accordance with the relationship that the purchase price bears to the most recent assessed value of the*
17 *entire tract. In the event a proration is necessary, the purchaser's portion of such tract of land shall be*
18 *relieved of such lien to the extent the proceeds exceed the purchaser's pro rata share of taxes. It shall*
19 *be the responsibility of the treasurer or other proper officer of the taxing authority to cause the release*
20 *of the lien.* The seller's liability for taxes and levies shall be effectively prorated contractually. The
21 words "taxes" and "levies" as used in this section include the penalties and interest accruing on such
22 taxes and levies in pursuance of law. The lien imposed hereby shall, in addition to existing remedies for
23 the collection of taxes and levies, be enforceable by suit in equity under the provisions of Article 4 of
24 Chapter 39 (§ 58.1-3965 et seq.).

25 There shall be a further lien upon the rents of such real estate whether the same be in money or in
26 kind, for taxes of the current year.

ENROLLED

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