

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 5 of Chapter 36 a section numbered*
3 *58.1-3665, relating to taxation of certain erosion control improvements; exemptions from tax.*

4 [H 1425]

5 Approved

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

7 **1. That the Code of Virginia is amended by adding in Article 5 of Chapter 36 a section numbered**
8 **58.1-3665 as follows:**

9 *§ 58.1-3665. Partial exemption for erosion control improvements.*

10 *A. Real estate that has been improved through the placement of rock or concrete breakwaters,*
11 *bulkheads, gabions, revetments, or similar structural improvements installed to control erosion, and is*
12 *used primarily for the purpose of abating or preventing pollution of the waters of the Commonwealth, is*
13 *hereby declared to be a separate class of property and shall constitute a classification for local taxation*
14 *separate from other classifications of real property. The governing body of any county, city or town*
15 *may, by ordinance, provide for the partial exemption from local taxation of such real estate, subject to*
16 *such conditions and restrictions as the ordinance may prescribe. The governing body of a county, city*
17 *or town may establish criteria for determining whether real estate qualifies for the partial exemption*
18 *authorized by this section.*

19 *B. The partial exemption authorized by this section shall not exceed (i) all or a portion of the*
20 *increase in the assessed value of the real property resulting from the placement of the structural*
21 *improvements described in subsection A, as determined by the commissioner of revenue or other local*
22 *assessing officer, or (ii) fifty percent of the cost of such improvements, as determined by the governing*
23 *body of the county, city or town. Any exemption (i) may commence upon completion of the*
24 *improvements or on January 1 of the year following such completion, and (ii) shall run with the real*
25 *estate for a period not to exceed fifteen years. The governing body of the county, city or town may*
26 *provide that the amount or percentage of an exemption shall decrease in annual steps over the entire*
27 *fifteen-year exemption period or a portion thereof.*

28 *C. Nothing in this section shall be construed to permit the commissioner of revenue or other local*
29 *assessing officer to list upon the land book any reduced value due to the exemption provided pursuant*
30 *to subsection B.*

31 *D. The governing body of any county, city or town is authorized to assess a fee, not to exceed fifty*
32 *dollars, for processing an application requesting the exemption authorized by this section. No property*
33 *shall be eligible for such exemption unless any appropriate permits have been obtained and the*
34 *commissioner of the revenue or other assessing officer has verified that the improvements described on*
35 *the application have been completed.*

ENROLLED

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