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HOUSE BILL NO. 777

House Amendments in [] — February 10, 2012

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 51, consisting of sections numbered 30-330, 30-331, and 30-332, relating to the Joint Subcommittee to Evaluate Tax Preferences.*

Patron Prior to Engrossment—Delegate Landes

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 51, consisting of sections numbered 30-330, 30-331, and 30-332, as follows:

CHAPTER 51.**JOINT SUBCOMMITTEE TO EVALUATE TAX PREFERENCES.**

§ 30-330. *Joint Subcommittee to Evaluate Tax Preferences; purpose.*

The Joint Subcommittee to Evaluate Tax Preferences (the Joint Subcommittee) is established in the legislative branch of state government. The purpose of the Joint Subcommittee is to oversee the evaluation of Virginia's tax preferences, including but not limited to tax credits, deductions, subtractions, exemptions, and exclusions.

§ 30-331. *Membership; terms; vacancies; chairman and vice-chairman; quorum; meetings; compensation.*

[The Joint Subcommittee shall consist of two members of the House Committee on Appropriations, four members of the House Committee on Finance, and four members of the Senate Committee on Finance, appointed by the respective Chairmen of the three committees. The Joint Subcommittee shall have a total membership of 14 legislative members that shall consist of eight members of the House of Delegates and six members of the Senate. Members shall be appointed as follows: eight members of the House of Delegates, of which six shall be members of the House Committee on Finance and two shall be members of the House Committee on Appropriations to be appointed by the Speaker of the House of Delegates, upon the recommendation of the Chairman of the House Committee on Appropriations and the Chairman of the House Committee on Finance, respectively; and six members of the Senate to be appointed by the Senate Committee on Rules, upon the recommendation of the Chairman of the Senate Committee on Finance] .

Members shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Members may be reappointed. Vacancies shall be filled in the same manner as the original appointments.

The Joint Subcommittee shall elect a chairman and vice-chairman from among its membership.

A majority of the members shall constitute a quorum. The meetings of the Joint Subcommittee shall be held at the call of the chairman or whenever the majority of the members so request.

No recommendation of the Joint Subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Joint Subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Joint Subcommittee.

Members of the Joint Subcommittee shall receive such compensation and shall be reimbursed for reasonable and necessary expenses as provided in the general appropriation act.

§ 30-332. *Powers and duties of the Joint Subcommittee; staffing; reports.*

The Joint Subcommittee shall have the following powers and duties:

1. Undertake a systematic review of Virginia's tax preferences;
2. Adopt a schedule for reviewing tax preferences based upon program areas to which the preferences relate;

3. Establish procedures and performance measures to evaluate the effectiveness of tax preferences;

4. Request Department of Taxation staff, under the Joint Subcommittee's guidance and instruction, to conduct independent evaluations of tax preferences and report its findings to the Joint Subcommittee;

5. Recommend a process and guidelines for establishing expiration dates for tax preferences; and

6. Submit an annual report to the General Assembly and the Governor of its recommendations, including which tax preferences should be continued, expanded, modified, or eliminated.

The Joint Subcommittee is authorized to establish a technical advisory group to assist the work of the Joint Subcommittee and Department of Taxation staff by providing additional guidance and reviewing evaluations conducted by the Department. The technical advisory group shall include

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HB777E

59 *individuals with tax policy or economic expertise and legislative staff.*

60 *Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates*
61 *[or the Office of the Clerk of the Senate as may be appropriate for the house in which the chairman of*
62 *the Joint Subcommittee serves. Additional assistance to the Joint Subcommittee, as needed, for legal,*
63 *research, and other services shall be provided by the staffs of the House Committee on Appropriations,*
64 *the Senate Committee on Finance, and the Division of Legislative Services. . Legal, research, policy*
65 *analysis, and other services requested by the Joint Subcommittee shall be provided by the Division of*
66 *Legislative Services. Technical assistance shall be provided by the staffs of the House Committee on*
67 *Appropriations and the Senate Committee on Finance.]*

68 *The chairman shall submit to the General Assembly and the Governor an annual executive summary*
69 *of the interim activity and work of the Joint Subcommittee no later than the first day of each regular*
70 *session of the General Assembly. The executive summary shall be submitted as provided in the*
71 *procedures of the Division of Legislative Automated Systems for the processing of legislative documents*
72 *and reports and shall be posted on the General Assembly's website.*