2022 Legislative Summary

Miscellaneous Taxes		
HB 226 Taxes, appeal of local assessments.		
Chief patron: Coyner		
An Act to amend and reenact § 58.1-3984 of the Code of Virginia, relating to appeal of local tax assessments.		
Summary as introduced:	7/1/2022	Statewide
Appeal of local tax assessments. Clarifies the procedure by which a taxpayer aggrieved by any local tax assessment may seek relief by providing that (i) the necessary parties in such a proceeding shall be the taxpayer and the locality; (ii) the taxpayer may show that the property was assessed at more or less than its fair market value; and (iii) the county or city attorney or, if none, the attorney for the Commonwealth shall defend the locality in any such proceeding.		
HB 518 Sales and transient occupancy taxes; accommodations intermediaries.		
Chief patron: Head		
An Act to amend and reenact §§ 58.1-602, 58.1-612.2, and 58.1-3826 of the Code of Virginia, relating to sales and transient occupancy taxes; accommodations intermediaries.		
Summary as passed:		
Sales and transient occupancy taxes; accommodations intermediaries. Changes the process by which sales and transient occupancy taxes are collected from accommodations sales involving accommodations intermediaries. Under current law, accommodations intermediaries remit these taxes to the Department of Taxation or a locality, or a hotel, depending on the circumstances. The bill requires accommodations intermediaries to collect such taxes and remit them to the Department of Taxation or a locality, as applicable. The bill also provides that in a transaction involving multiple parties that may be considered accommodations intermediaries, such parties may agree that one party shall be responsible for collecting and remitting the taxes. In such event, the party agreeing to collect and remit such taxes shall be the sole party liable for the tax. Accommodations intermediaries shall submit to localities certain information on accommodations facilitated by the intermediary on a monthly basis. The bill also broadens the definition of accommodations intermediary. The bill directs the Department of Taxation to publish guidelines on implementation of the bill by August 1, 2022, and to convene a workgroup to examine the processes used to collect local transient occupancy taxes and make recommendations for improvements. The substantive provisions of the bill have a delayed effective date of October 1, 2022. Bill is a companion to SB651.	10/1/2022	Statewide

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HB 1076 Cigarette tax, local; identifying unsold inventory, localities that increase taxes.		
Chief patron: McNamara		
An Act to amend and reenact §§ 58.1-3830 and 58.1-3832.1 of the Code of Virginia, relating to local cigarette tax; unsold inventory.	7/1/2022	Statewide
Summary as introduced:		
Local cigarette tax; unsold inventory. Requires any locality that increases its cigarette tax rate to allow, for one calendar year after the increase, a person with unsold inventory to pay the tax increase on the unsold inventory by filing a return, rather than requiring the use of a stamp or meter impression. The bill imposes a duty on regional cigarette tax boards to effectuate the policy. This bill is identical to SB 25 .		
SB 25 Cigarette tax, local; identifying unsold inventory, localities that increase taxes.		
SB 25 Cigarette tax, local, identifying unsold inventory, localities that increase taxes.		
Chief patron: Ruff		
An Act to amend and reenact §§ 58.1-3830 and 58.1-3832.1 of the Code of Virginia, relating to local cigarette tax; unsold inventory.	7/1/2022	Statewide
Summary as passed:		
Local cigarette tax; unsold inventory. Requires any locality that increases its cigarette tax rate to allow, for one calendar year after the increase, a person with unsold inventory to pay the tax increase on the unsold inventory by filing a return, rather than requiring the use of a stamp or meter impression. The bill imposes a duty on regional		
cigarette tax boards to effectuate the policy. This bill is identical to HB 1076 .		

SB 651 Sales and transient occupancy taxes; accommodations intermediaries.		
Chief patron: Vogel		
An Act to amend and reenact §§ 58.1-602, 58.1-612.2, and 58.1-3826 of the Code of Virginia, relating to sales and transient occupancy taxes; accommodations intermediaries.		
Summary as passed Senate:		
Sales and transient occupancy taxes; accommodations intermediaries. Changes the process by which sales and transient occupancy taxes are collected from accommodations sales involving accommodations intermediaries. Under current law, accommodations intermediaries remit these taxes to the Department of Taxation or a locality, or a hotel, depending on the circumstances. The bill requires accommodations intermediaries to collect such taxes and remit them to the Department of Taxation or a locality, as applicable. The bill also provides that in a transaction involving multiple parties that may be considered accommodations intermediaries, such parties may agree that one party shall be responsible for collecting and remitting the taxes. In such event, the party agreeing to collect and remit such taxes shall be the sole party liable for the tax. Accommodations intermediaries shall submit to localities certain information on accommodations facilitated by the intermediary on a monthly basis. The bill also broadens the definition of accommodations intermediary.	10/1/2022	Statewide
The bill directs the Department of Taxation to publish guidelines on implementation of the bill by August 1, 2022, and to convene a work group to examine the processes used to collect local transient occupancy taxes and make recommendations for improvements. The substantive provisions of the bill have a delayed effective date of October 1, 2022. Bill is a companion t HB518		

Personal Property Tax		
HB 179 Permanent farm use placard; an owner or lessee to obtain for vehicle from DMV.		
Chief patron: Bloxom		
An Act to amend and reenact §§ 46.2-665, 46.2-666, 46.2-670, 46.2-672, and 46.2-673 of the Code of Virginia and to amend the Code of Virginia by adding in Article 6 of Chapter 6 of Title 46.2 a section numbered 46.2-684.2, relating to Department of Motor Vehicles; permanent farm use placard.		
Summary as passed House:	7/1/2023	Statewide
Department of Motor Vehicles; permanent farm use placard. Requires an owner or lessee of a vehicle claiming a farm use exemption from the registration, licensing, and decal requirements for a motor vehicle, trailer, or semitrailer to obtain a nontransferable permanent farm use placard from the Department of Motor Vehicles and to display the farm use placard on the vehicle at all times. The bill requires the applicant to provide specified information about the vehicle and its usage, pay a \$15 fee, and certify that the vehicle is insured. The provisions of the bill requiring the owner or lessee of a farm vehicle to obtain and display a farm use placard have a delayed effective date of July 1, 2023. This bill incorporates HB 33. This bill is identical to SB 186.		
HB 267 Taxes, local; surplus revenues.		
Chief patron: McNamara		
An Act to amend and reenact § 15.2-2511.1 of the Code of Virginia, relating to local taxes; surplus revenues.	7/1/2022	Statewide
Summary as introduced:		
Local taxes; surplus revenues. Grants localities permissive authority to return surplus personal property tax revenues to taxpayers. Under current law, localities may return only surplus real property tax revenues. Bill is identical to SB12		

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HB 1231 Tangible personal property taxes; valuation of property.		
Chief patron: Robinson		
An Act to amend and reenact § 58.1-3503 of the Code of Virginia, relating to tangible personal property taxes; valuation of property.	7/1/2022	Statewide
Summary as introduced:		
Tangible personal property taxes; valuation of property. Provides that in any locality in which the commissioner of revenue or other assessing official adjusts the valuation of automobiles to account for the amount of mileage on a vehicle, such adjustment shall also be provided for motorcycles.		
HB 1239 Personal property; other classifications of tangible property for taxation.		
Chief patron: Scott, P.A.		
An Act to amend and reenact § 58.1-3506 of the Code of Virginia, relating to personal property tax;		
classification; emergency.		
Summary as passed House:	3/21/2022	Statewide
Tangible personal property tax; classification. Creates a new class of tangible personal property for rate		
purposes. This class would include most automobiles, motorcycles, and passenger trucks. Localities may		
assign a rate of tax or rate of assessment to this class that is different than is applied to other tangible		
personal property. The bill contains an emergency clause. The provisions of this act shall apply to taxable		
years beginning on or after January 1, 2022, but before January 1, 2025. Bill is identical to SB771 SB 12 Taxes, local; surplus revenues.		
Taxes, rocal, surplus revenues.		
Chief patron: Suetterlein		
An Act to amend and reenact § 15.2-2511.1 of the Code of Virginia, relating to local taxes; surplus revenues.	7/1/2022	Statewide
Summary as introduced:		
Local taxes; surplus revenues. Grants localities permissive authority to return surplus personal property tax		
revenues to taxpayers. Under current law, localities may return only surplus real property tax revenues Bill is identical to HB1231		

SB 186 Permanent farm use placard; an owner or lessee to obtain for vehicle from DMV.		
Chief patron: Hanger		
An Act to amend and reenact §§ 46.2-665, 46.2-666, 46.2-670, 46.2-672, and 46.2-673 of the Code of Virginia and to amend the Code of Virginia by adding in Article 6 of Chapter 6 of Title 46.2 a section numbered 46.2-684.2, relating to Department of Motor Vehicles; permanent farm use placard.		
Summary as passed Senate:	7/1/2023	Statewide
Department of Motor Vehicles; permanent farm use placard. Requires an owner or lessee of a vehicle claiming a farm use exemption from the registration, licensing, and decal requirements for a motor vehicle, trailer, or semitrailer to obtain a nontransferable permanent farm use placard from the Department of Motor Vehicles and to display the farm use placard on the vehicle at all times. The bill requires the applicant to provide specified information about the vehicle and its usage, pay a \$15 fee, and certify that the vehicle is insured. The provisions of the bill requiring the owner or lessee of a farm vehicle to obtain and display a farm use placard have a delayed effective date of July 1, 2023. This bill is identical to HB 179 .		
<u>SB 771</u> Personal property; other classifications of tangible property for taxation.		
Chief patron: Stuart		
An Act to amend and reenact § 58.1-3506 of the Code of Virginia, relating to personal property tax; classification; emergency.		
Summary as passed Senate:	3/21/2022	Statewide
Personal property tax; classification. Authorizes localities to classify for rate purposes certain vehicles that, under current law, may be classified only for valuation purposes, including certain automobiles, trucks, motor vehicles for use by the handicapped, motorcycles, mopeds, all-terrain vehicles, off-road motorcycles, campers, and other recreational vehicles. The bill specifies that its provisions shall apply only to taxable years beginning on or after January 1, 2022, but before January 1, 2025. This bill is identical to HB1239 .		

HB 693 Vehicle registration; personal property tax relief.		
Chief patron: Keam An Act to amend and reenact § 46.2-623 of the Code of Virginia, relating to vehicle registration; personal property tax relief.	7/1/2022	Statewide
Summary as introduced: Vehicle registration; personal property tax relief. Requires the application for vehicle registration to include any additional information necessary to determine if a vehicle is a qualifying vehicle for the purpose of personal property tax relief. The bill requires vehicles held in a trust to be evaluated in the same manner as vehicles owned by a natural person.		

Real Estate Tax		
HB 200 Real property; tax exemption shall include property of certain single member ltd. liability company.		
Chief patron: Webert		
An Act to amend and reenact § 58.1-3609 of the Code of Virginia, relating to real property tax; exemptions.	7/1/2022	Statewide
Summary as introduced:		
Real property tax; exemptions. Provides that the property of an organization that is tax-exempt by		
classification shall include the property of a single-member limited liability company whose sole member is		
such an organization.		

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HB 957 Real property; classification, property owned by certain surviving spouses for tax purposes.		
Chief patron: Tran		
An Act to amend the Code of Virginia by adding in Article 3 of Chapter 32 of Title 58.1 a section numbered 58.1-3228.2, relating to classification of real property owned by certain surviving spouses for tax purposes.		
Classification of real property owned by certain surviving spouses for tax purposes. Provides that beginning with taxable year 2022, any locality may declare real property owned by a surviving spouse of a member of the Armed Forces of the United States who died in the line of duty with a line of duty determination from the U.S. Department of Defense, where such death was not the result of criminal conduct, and where the spouse occupies the real property as his principal place of residence and does not remarry, a separate class of property for local taxation of real property that may be taxed at a different rate than that imposed on the general class of real property, provided that the rate of tax is greater than zero and does not exceed the rate of tax on the general class of real property.	1/1/2022	Statewide
HB 1010 Real property taxes; notice of proposed increase, notice of public hearing.		
Chief patron: Durant		
An Act to amend and reenact § 58.1-3321 of the Code of Virginia, relating to real property taxes; notice of proposed increase.		
Summary as passed House:	7/1/2022	Statewide
Real property taxes; notice of proposed increase. Adjusts the notice requirements for public hearings held to increase property taxes in localities that conduct their reassessment of real estate more than once every four years. The bill requires such localities to provide notice of any such hearing on a different day and in a different notice from any notice published for the annual budget hearing. Under current law, such hearings are required when a locality seeks to raise its property tax rate above a rate that would collect more than 101 percent of the amount of taxes collected for the previous year.		

SB 648 Real property tax; exemption for the elderly and handicapped. Chief patron: McPike		
An Act to amend and reenact § 58.1-3213 of the Code of Virginia, relating to real property tax; exemption for the elderly and handicapped.	7/1/2022	Statewide Local Option
Summary as introduced: Real property tax; exemption for the elderly and handicapped. Provides that any locality may by ordinance accept documentation establishing eligibility for the real property tax exemption for the elderly and handicapped on a rolling basis throughout the year. Current law states that localities shall accept such documentation after January 1 but before April 1 or a later date fixed by ordinance.		Ορείστ
HB 180 Forest Sustainability Fund; created. Chief patron: Bloxom An Act to amend the Code of Virginia by adding a section numbered 58.1-3242.1, relating to land use valuation for real estate devoted to forest use; creation of Forest Sustainability Fund.	7/1/2022	Statouida
Summary as introduced: Land use valuation for real estate devoted to forest use; creation of Forest Sustainability Fund. Creates the Forest Sustainability Fund, to be administered by the State Forester. Localities that have adopted a use-value assessment and taxation program for real estate devoted to forest use are eligible to apply for an allocation from the Fund. Awards are proportionally based upon the amount of revenue forgone in the previous fiscal year by localities due to the use-value program. This bill is identical to SB184	7/1/2022	Statewide

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HB 199 Land preservation program; special assessment.		
Chief patron: Webert		
An Act to amend and reenact § 58.1-3235 of the Code of Virginia, relating to special assessment for land preservation program.		
	7/4/2022	Chahamida
Summary as introduced:	7/1/2022	Statewide
Land preservation program. Allows a locality, by ordinance, to provide that a parcel of real property shall not be removed from the land use program for prior year delinquent taxes if such taxes are paid no later than December 31 of the current year. The bill further provides that no parcel of real property shall be removed from the land use program for delinquent taxes if (i) such taxes become delinquent during a state of emergency declared by the Governor, (ii) the treasurer determines that the emergency has caused hardship for the taxpayer, and (iii) the taxes are paid no later than 90 days after the original deadline.		
HB 238 Land use assessment; forms used for revalidation of applications shall be prepared by TAX.		
Chief patron: Orrock		
An Act to amend and reenact § 58.1-3234 of the Code of Virginia, relating to land use assessment; forms.	7/1/2022	Statewide
Summary as passed House:		
Land use assessment; forms. Provides that the forms used for revalidation of applications for land use assessment shall be prepared by the Department of Taxation. Under current law, such forms are prepared by the locality. The bill directs the Department to seek input from localities across the Commonwealth in developing such forms.		
HB 400 Real property; affordable housing.		
Chief patron: Willett		
An Act to amend and reenact § 58.1-3295 of the Code of Virginia, relating to assessment of real property; affordable		
housing.	7/1/2022	Statewide
Summary as introduced:		
Assessment of real property; affordable housing. Includes the Rental Assistance Demonstration program in the list		
of federal laws whose restrictions shall be considered in determining the fair market value of real property that is		
operated as affordable rental housing.		

HB 791 Data centers; center fixtures are taxed as part of the real property where they are located, etc.		
Chief patron: McNamara		
An Act to amend and reenact § 58.1-3500 of the Code of Virginia and to amend the Code of Virginia by adding in	7/4/2022	6
Article 7 of Chapter 32 of Title 58.1 a section numbered 58.1-3295.3, relating to property tax; data centers.	7/1/2022	Statewide
Summary as introduced:		
Property tax; data centers. Provides that if data center fixtures are taxed as part of the real property where they		
are located, they shall be valued based on depreciated reproduction or replacement cost, rather than based on the		
amount of income they generate. This bill is identical to SB 513.		
HB 951 Real property tax; assessment cycles by counties.		
Chief patron: Hodges		
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An Act to amend and reenact § 58.1-3252 of the Code of Virginia, relating to real property tax; assessment cycles.		Statewide
Summary as passed:	7/1/2022	Local
		Option
Real property tax; reassessment cycles. Authorizes counties to conduct a general reassessment of real estate every		
three years if determined by majority vote of a county's board of supervisors. Current law requires counties to conduct a general reassessment every four years, with exceptions authorized for specified counties. This bill is		
identical to SB 77.		
HB 996 Land use assessment; parcels with multiple owners.		
Chief patron: Webert		
An Act to amond and respect & EQ 1 2224 of the Code of Virginia relating to land use accomment, parcels with		
An Act to amend and reenact § 58.1-3234 of the Code of Virginia, relating to land use assessment; parcels with multiple owners.	7/1/2022	Statewide
multiple owners.	//1/2022	Statewide
Summary as passed House:		
Land use assessment; parcels with multiple owners. Allows the owner of a majority interest in an undivided parcel		
of real estate that is eligible for land use assessment to file the application on behalf of himself and for owners of		
any minority interest.		

SB 77 Real property tax; assessment cycles by counties.		
Thear property tax, assessment cycles by counties.		
Chief patron: Norment		
An Act to amend and reenact § 58.1-3252 of the Code of Virginia, relating to real property tax; assessment cycles.	7/1/2022	Statewide Local
Summary as introduced:		Option
Real property tax; reassessment cycles. Authorizes counties to conduct a general reassessment of real estate every		
three years if determined by majority vote of a county's board of supervisors. Current law requires counties to		
conduct a general reassessment every four years, with exceptions authorized for specified counties. This bill is		
identical to HB 951.		
SB 184 Forest Sustainability Fund; created.		
Chief patron: Ruff		
An Act to amend the Code of Virginia by adding a section numbered 58.1-3242.1, relating to land use valuation for		
real estate devoted to forest use; creation of Forest Sustainability Fund.	= /. /2.22	
Summary as introduced:	7/1/2022	Statewide
Land use valuation for real estate devoted to forest use; creation of Forest Sustainability Fund. Creates the Forest		
Sustainability Fund, to be administered by the State Forester. Localities that have adopted a use value assessment		
and taxation program for real estate devoted to forest use are eligible to apply for an allocation from the Fund.		
Awards are proportionally based upon the amount of revenue forgone in the previous fiscal year by localities due		
to the use value program. This bill is identical to HB 180.		
SB 513 Data centers; center fixtures are taxed as part of the real property where they are located, etc.		
Chief patron: McPike		
An Act to amend and reenact § 58.1-3500 of the Code of Virginia and to amend the Code of Virginia by adding in		
Article 7 of Chapter 32 of Title 58.1 a section numbered 58.1-3295.3, relating to property tax; data centers.	7/1/2022	Statewide
Company on introduced		
Summary as introduced:		
Property tax; data centers. Provides that if data center fixtures are taxed as part of the real property where they		
are located, they shall be valued based on depreciated reproduction or replacement cost, rather than based on the		
amount of income they generate. This bill is identical to HB 791.		

Solar Equipment		
HB 1087 Solar photovoltaic projects; local taxation for projects less than five megawatts.		
Chief patron: Leftwich		
An Act to amend the Code of Virginia by adding a section numbered 58.1-2606.1, relating to local taxation of machinery and tools used directly in producing or generating renewable energy for certain solar projects; revenue share assessment.		
Local taxation for solar photovoltaic projects five megawatts or less. Provides that generating equipment of solar photovoltaic projects five megawatts or less shall be taxable by a locality, at a rate determined by such locality, but shall not exceed the real estate rate applicable in that locality, and that the exemption shall be as follows: 80 percent of the assessed value in the first five years in service after commencement of commercial operation, 70 percent of the assessed value in the second five years in service, and 60 percent of the assessed value for all remaining years in service. The bill also provides that (i) solar photovoltaic projects five megawatts or less shall not be exempt from the assessment of a revenue share by ordinance of that locality and (ii) nothing in the bill shall be construed to authorize local taxation of generating or storage equipment of solar photovoltaic projects that serve the electricity needs of that property upon which such solar facilities are located. The bill does not apply to projects five megawatts or less that were approved by a locality prior to July 1, 2022. This bill is the same as SB502.	7/1/2022	Statewide
SB 502 Solar photovoltaic projects; local taxation for projects less than five megawatts.		
Chief patron: Lewis		
An Act to amend the Code of Virginia by adding a section numbered 58.1-2606.1, relating to local taxation of machinery and tools used directly in producing or generating renewable energy for certain solar projects; revenue share assessment.		
Local taxation for solar photovoltaic projects five megawatts or less. Provides that generating equipment of solar photovoltaic projects five megawatts or less shall be taxable by a locality, at a rate determined by such locality, but shall not exceed the real estate rate applicable in that locality, and that the exemption shall be as follows: 80 percent of the assessed value in the first five years in service after commencement of commercial operation, 70 percent of the assessed value in the second five years in service, and 60 percent of the assessed value for all remaining years in service. The bill also provides that (i) solar photovoltaic projects five megawatts or less shall not be exempt from the assessment of a revenue share by ordinance of that locality and (ii) nothing in the bill shall be construed to authorize local taxation of generating or storage equipment of solar photovoltaic projects that serve the electricity needs of that property upon which such solar facilities are located. If a locality assesses a revenue share on such projects, the amount of the exemption shall be 100 percent of the assessed value. The bill does not apply to projects five megawatts or less that were approved by a locality prior to July 1, 2022. This bill is the same as HB 1087.	7/1/2022	Statewide

SB 686 Tax, local; solar facility exemption. Chief patron: Mason An Act to amend and reenact § 58.1-3661 of the Code of Virginia, relating to local tax; solar facility exemption. Summary as passed: Local tax; solar facility exemption. Provides that any solar facility installed (i) on the roof of a residential dwelling or a structure on an agricultural zoned property in order to serve the electricity needs of the property upon which the facility is located and (ii) pursuant to existing local regulation of solar facilities laws is declared a separate class of property and shall be classified for local taxation separately from other classifications of real or personal property. Such facilities shall be wholly exempt from state and local taxation under the Constitution of Virginia. The exemption applies only to solar facilities with a nameplate generating capacity of not more than 25 kilowatts. The bill has a delayed effective date of January 1, 2023.	1/1/2023	Statewide
BPOL		
HB 1084 License taxes, local; limitation of authority. Chief patron: Leftwich An Act to amend and reenact § 58.1-3703 of the Code of Virginia, relating to local license taxes; limitation of authority. Summary as introduced: Local license taxes; limitation of authority. Prohibits a locality from imposing a license tax on a director of a bank or trust company that is subject to the bank franchise tax. This bill is identical to SB 385.	7/1/2021	Statewide
SB 385 License taxes, local; limitation of authority. Chief patron: McDougle An Act to amend and reenact § 58.1-3703 of the Code of Virginia, relating to local license taxes; limitation of authority. Summary as introduced: Local license taxes; limitation of authority. Prohibits a locality from imposing a license tax on a director of a bank or trust company that is subject to the bank franchise tax. This bill is identical to HB 1084.	7/1/2021	Statewide

Constitutional Officers		
HB 368 Refunds of local taxes; authority of treasurer.		
Chief patron: Williams Graves An Act to amend and reenact § 58.1-3981 of the Code of Virginia, relating to refunds of local taxes; authority of treasurer.	7/1/2021	Statewide
Summary as introduced: Refunds of local taxes; authority of treasurer. Increases from \$5,000 to \$10,000 the maximum amount that the governing body of a locality may authorize its treasurer to approve and issue for a refund of taxes paid as a result of an erroneous tax assessment.		