

2023 Legislative Summary-Legislative Retreat

Miscellaneous Taxes		
<p><u>HB 1368</u> Tax practitioners; work group to consider discussion process, etc.</p> <p><i>Chief patron:</i> Coyner</p> <p>An Act to establish a work group to consider a formalized discussion process for practitioners and the Department of Taxation; report.</p> <p><i>Summary as passed House:</i></p> <p>Department of Taxation; policies and procedures; work group. Directs the Department of Taxation to convene a workgroup for the purpose of studying the Department's current policies and procedures in order to determine options for a mechanism for tax practitioners to provide feedback to the Department on an ongoing basis.</p>	7/1/2023	Statewide
<p><u>HB 1442</u> Transient occupancy tax; administration.</p> <p><i>Chief patron:</i> McNamara</p> <p>An Act to amend the Code of Virginia by adding a section numbered 58.1-210.1 and by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3827, relating to transient occupancy tax; administration.</p> <p><i>Summary as passed:</i></p> <p>Transient occupancy tax; administration. Requires the Department of Taxation to publish annually on its website the current transient occupancy tax rates imposed in each locality. The bill also (i) requires the tax-assessing officer of a locality to administer and enforce the assessment and collection of transient occupancy taxes from accommodations intermediaries and (ii) specifies certain return filing requirements for accommodations intermediaries.</p>	10/1/2023	Statewide

<p><u>HB 1450</u> Individuals with disabilities; terminology.</p> <p><i>Chief patron:</i> Orrock</p> <p>An Act to amend and reenact §§ 2.2-1159, 3.2-6588, 10.1-200.3, 15.2-1805, 15.2-2025, 15.2-2306, 15.2-5201, 15.2-5301, 15.2-5369, 15.2-6314.1, 20-163, 22.1-101.1, 22.1-183, 22.1-213, 22.1-214.3, 22.1-270, 22.1-290.02, 23.1-1000, 23.1-2400, 25.1-400, 29.1-314, 32.1-78, 33.2-613, 36-96.1:1, 36-98.1, 36-99, 38.2-3323, 38.2-3409, 46.2-100, 46.2-221, 46.2-844, 46.2-859, 46.2-917, 46.2-1090, 46.2-1503.2, 51.1-124.27, 51.5-40.1, 54.1-2968, 58.1-609.10, 58.1-2401, <u>58.1-3210, 58.1-3213.1, 58.1-3503, 58.1-3506, 58.1-3506.1, 58.1-3506.6, 58.1-3833, 58.1-3840</u>, 58.1-4024, 63.2-100, 63.2-319, 63.2-1301, 63.2-1302, and 64.2-745 of the Code of Virginia, relating to individuals with disabilities; terminology.</p> <p><i>Summary as passed House:</i></p> <p>Individuals with disabilities; terminology. Replaces various instances of the terms "handicap," "handicapped," and similar variations throughout the Code of Virginia with alternative terms, as appropriate in the statutory context, such as "disability" and "impairment." The bill contains technical amendments. As introduced, this bill was a recommendation of the Virginia Disability Commission. <u>This bill is identical to SB 798.</u></p>	7/1/2023	Statewide
<p><u>HB 1896</u> Bank franchise tax; electronic access to banks for real estate assessment records, etc.</p> <p><i>Chief patron:</i> Byron</p> <p>An Act to amend and reenact §§ 58.1-1206, 58.1-1207, and 58.1-1212 of the Code of Virginia, relating to bank franchise tax.</p> <p><i>Summary as passed House:</i></p> <p>Bank franchise tax; report. Provides for the electronic filing of bank franchise tax returns through a secure online portal maintained by the Department of Taxation and extends the time to file such tax return by 60 days. The bill also requires localities to provide banks access to real estate assessment records upon request. The bill has a delayed effective date of January 1, 2025, and directs the Department to convene a work group to assess potential alternative methods for the filing and allocation of bank franchise tax revenues. <u>This bill is identical to SB 1182.</u></p>	1/1/2025	Statewide

<p><u>HB 1927</u> Tax returns; filing returns or payment of taxes by mail.</p> <p><i>Chief patron:</i> Durant</p> <p>An Act to amend and reenact §§ 58.1-9 and 58.1-3916 of the Code of Virginia, relating to filing of tax returns or payment of taxes by mail.</p> <p><i>Summary as passed:</i></p> <p>Filing of tax returns or payment of taxes by mail. Provides that a remittance of a tax return or a tax payment shall be deemed to have been timely received if, through no fault of the taxpayer, no postmark is affixed or the postmark affixed by the United States Postal Service is illegible or bears no date and such tax return or payment is received within five days of the due date. The bill also provides that no penalty or interest shall be imposed (i) if a taxpayer provides evidence that a tax return filing or a tax payment was timely by producing a United States Postal Service Certificate of Mailing, or other proof of mailing, showing such return was filed or such payment was made on time or (ii) if a taxpayer's failure to file a return or to pay a tax to a locality was the fault of the United States Postal Service.</p>	1/1/2023	Statewide
<p><u>SB 798</u> Individuals with disabilities; terminology.</p> <p><i>Chief patron:</i> Hashmi</p> <p>An Act to amend and reenact §§ 2.2-1159, 3.2-6588, 10.1-200.3, 15.2-1805, 15.2-2025, 15.2-2306, 15.2-5201, 15.2-5301, 15.2-5369, 15.2-6314.1, 20-163, 22.1-101.1, 22.1-183, 22.1-213, 22.1-214.3, 22.1-270, 22.1-290.02, 23.1-1000, 23.1-2400, 25.1-400, 29.1-314, 32.1-78, 33.2-613, 36-96.1:1, 36-98.1, 36-99, 38.2-3323, 38.2-3409, 46.2-100, 46.2-221, 46.2-844, 46.2-859, 46.2-917, 46.2-1090, 46.2-1503.2, 51.1-124.27, 51.5-40.1, 54.1-2968, 58.1-609.10, 58.1-2401, <u>58.1-3210, 58.1-3213.1, 58.1-3503, 58.1-3506, 58.1-3506.1, 58.1-3506.6, 58.1-3833, 58.1-3840</u>, 58.1-4024, 63.2-100, 63.2-319, 63.2-1301, 63.2-1302, and 64.2-745 of the Code of Virginia, relating to individuals with disabilities; terminology.</p> <p><i>Summary as passed Senate:</i></p> <p>Individuals with disabilities; terminology. Replaces various instances of the terms "handicap," "handicapped," and similar variations throughout the Code of Virginia with alternative terms, as appropriate in the statutory context, such as "disability" and "impairment." The bill contains technical amendments. As introduced, this bill was a recommendation of the Virginia Disability Commission. This bill is identical to HB 1450.</p>	1/1/2023	Statewide

<p><u>SB 1182</u> Bank franchise tax; electronic access to banks for real estate assessment records, etc.</p> <p><i>Chief patron:</i> Ruff</p> <p>An Act to amend and reenact §§ 58.1-1206, 58.1-1207, and 58.1-1212 of the Code of Virginia, relating to bank franchise tax.</p> <p><i>Summary as passed Senate:</i></p> <p>Bank franchise tax; report. Provides for the electronic filing of bank franchise tax returns through a secure online portal maintained by the Department of Taxation and extends the time to file such tax return by 60 days. The bill also requires localities to provide banks access to real estate assessment records upon request. The bill has a delayed effective date of January 1, 2025, and directs the Department to convene a work group to assess potential alternative methods for the filing and allocation of bank franchise tax revenues. This bill is identical to HB 1896.</p>	<p>1/1/2025</p>	<p>Statewide</p>
<p><u>SB 1258</u> Sales tax revenues; entertainment arena.</p> <p><i>Chief patron:</i> Lucas</p> <p>An Act to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to sales tax revenue; entertainment arena.</p> <p><i>Summary as passed:</i></p> <p>Sales tax revenues; entertainment arena. Adds entertainment arena to the definition of public facility for the purpose of allowing a locality to collect all sales tax revenues generated by transactions at such a facility, provided that a locality owns the facility, wholly or partly, and contributes to financing its construction. The bill also allows a municipality to issue bonds to finance a public facility on or after July 1, 2023, but prior to July 1, 2026. The provisions of the bill do not become effective unless reenacted by the 2024 Session of the General Assembly.</p>	<p>7/1/2023</p>	<p>Local</p>

Personal Property		
<p>HB 1486 Personal property tax; farm machinery and farm implements.</p> <p><i>Chief patron:</i> Webert</p> <p>An Act to amend and reenact § 58.1-3505 of the Code of Virginia, relating to personal property tax; farm equipment.</p> <p><i>Summary as passed House:</i></p> <p>Personal property tax; farm machinery and farm implements. Expands the list of certain farm machinery and farm implements that a locality may exempt from personal property taxes to include (i) motor vehicles used primarily for agricultural purposes, (ii) privately owned trailers primarily used by farmers in their farming operations, and (iii) season-extending vegetable hoop houses used for in-field production of produce. The bill states that a locality that exempts motor vehicles or privately owned trailers pursuant to these provisions shall not collect any unpaid tangible personal property taxes, including interest or penalties, that are owed to the locality as of July 1, 2023. Any such unpaid taxes shall be stricken from the books of the treasurer.</p>	7/1/2023	Statewide
Real Estate Tax		
<p>SJ 231 Constitutional amendment; property tax exemption for certain surviving spouses.</p> <p><i>Chief patron:</i> McPike</p> <p>Proposing an amendment to Section 6-A of Article X of the Constitution of Virginia, relating to real property tax exemption; surviving spouses of soldiers who died in the line of duty.</p> <p><i>Summary as introduced:</i></p> <p>Constitutional amendment (first reference); real property tax exemption; surviving spouses of soldiers who died in the line of duty. Expands the current tax exemption for real property available to the surviving spouses of soldiers killed in action to the surviving spouses of soldiers who died in the line of duty with a Line of Duty determination from the U.S. Department of Defense.</p>	7/1/2023	First Reference To be voted on again in the 2024 session

<p>HB 1942 Real property tax; notice of rate and assessment changes.</p> <p><i>Chief patron:</i> Durant</p> <p>An Act to amend and reenact § 58.1-3330 of the Code of Virginia, relating to real property tax; notice of rate and assessment changes.</p> <p><i>Summary as passed House:</i></p> <p>Real property tax; notice of rate and assessment changes. Requires certain information to be included in the notice that a locality is required to send to taxpayers after conducting a reassessment of real property. The bill provides that, in any county, city, or town that conducts an annual or biennial reassessment of real estate or in which reassessment of real estate is conducted primarily by employees of the county, city, or town under the direction of the commissioner of the revenue and that has not yet established its real property tax rate when such notice is sent, the locality shall set out in the notice the effective tax rate increase.</p>	<p>1/1/2023</p>	<p>Does not affect periodic reassessment unless performed in-house</p>
<p>HB 2414 Real property; tax exemption for disabled veterans or surviving spouse.</p> <p><i>Chief patron:</i> Scott, D.L.</p> <p>An Act to amend and reenact § 58.1-3219.6 of the Code of Virginia, relating to real property tax exemption; disabled veterans.</p> <p><i>Summary as passed House:</i></p> <p>Real property tax exemption; disabled veterans. Allows a disabled veteran or surviving spouse to apply for a real property tax exemption and receive a decision prior to purchasing a qualifying property. The bill provides that the commissioner of the revenue of the county, city, or town, or such other officer as may be designated by the governing body in which the property is located, shall, within 20 business days of receiving the application, process the application and send a letter to the disabled veteran or surviving spouse stating whether the application is approved or denied. If the application is approved, the bill requires the letter to include the amount of the tax exemption approved. The bill provides, however, that the exemption described in such a letter shall become effective only after the disabled veteran or surviving spouse becomes the owner of the property.</p>	<p>7/1/2023</p>	<p>Statewide</p>

<p><u>SB 1389</u> Deed recordation; address transfer for taxation.</p> <p><i>Chief patron:</i> Lewis</p> <p>An Act to amend and reenact § 58.1-3303 of the Code of Virginia, relating to recordation; address transfer for taxation.</p> <p><i>Summary as passed Senate:</i></p> <p>Deed recordation; address transfer for taxation. Requires that the commissioner of revenue of a jurisdiction shall, upon receipt and review of the recordation receipt from the clerk of the circuit court of his jurisdiction, ensure that the land book is updated to reflect each grantee and property address or any other such address as may be specified in writing by the grantee for the delivery of future tax bills.</p>	<p>1/1/2024</p>	<p>Statewide</p>
<p>Real Estate Tax – Land Use</p>		
<p><u>SB 1511</u> Land use classifications; property qualifications.</p> <p><i>Chief patron:</i> Hanger</p> <p>An Act to amend and reenact §§ 58.1-3230 and 58.1-3234 of the Code of Virginia, relating to land use classifications; property qualifications.</p> <p><i>Summary as introduced:</i></p> <p>Land use classifications; property qualifications. Allows a property that formerly participated in and continues to meet the qualifications of a state or federal soil and water conservation program but is no longer receiving payments or other compensation as a result of such program to continue to be eligible for designation as real estate devoted to agricultural use and real estate devoted to horticultural use. The bill further states that the presence of noxious weeds or woody growth shall not be the sole basis for the denial of a property's designation as real estate devoted to agricultural use. Further, the bill requires that the application form for taxation on the basis of a use assessment allow a landowner who received payments or compensation as a result of the former participation of his property in a state or federal soil and water conservation program and whose property continues to meet the qualifications of such program but is no longer receiving such pay</p>	<p>7/1/2023</p>	<p>Statewide</p>

Farm Use Tags		
<p>HB 1806 Farm use placards; permanent placards for any pickup or panel truck, etc.</p> <p><i>Chief patron:</i> Bloxom</p> <p>An Act to amend and reenact §§ 46.2-665, as it is currently effective and as it shall become effective, 46.2-666, as it is currently effective and as it shall become effective, 46.2-667, 46.2-670, as it is currently effective and as it shall become effective, 46.2-672, as it shall become effective, 46.2-673, as it is currently effective and as it shall become effective, 46.2-684.2, 58.1-2403, and 58.1-3505 of the Code of Virginia and to amend and reenact the second enactment of Chapter 51 and the second enactment of Chapter 52 of the Acts of Assembly of 2022, relating to farm use placards.</p> <p><i>Summary as passed:</i></p> <p>Farm use placards. Delays from July 1, 2023, to July 1, 2024, the date by which vehicles claiming a farm use exemption are required to obtain a farm use placard from the Department of Motor Vehicles and display such placard at all times. The bill provides that the requirement to display a farm use placard only applies to pickup or panel trucks and sport utility vehicles. The bill removes certain requirements on the application for a farm use placard, prohibits requesting additional information on such application, and prohibits disclosure of application information. The bill authorizes the use of an agricultural or horticultural vehicle for disposing of incidental refuse and a seasonal transportation vehicle for driving to a storage house, packing plant, or market regardless of distance. The bill clarifies that the exemption for transporting back to a farm essential food includes procuring a meal for a farmer or his employees and that such exemption applies while engaged in authorized farm vehicle uses. The bill exempts vehicles required to obtain a farm use placard from the motor vehicle sales and use tax and authorizes localities to exempt such vehicles from personal property tax. This bill incorporates HB 1883 and is identical to SB 1057.</p>	<p>7/1/2024</p>	<p>Statewide</p>

<p><u>SB 1057</u> Farm use placards; permanent placards for any pickup or panel truck, etc.</p> <p><i>Chief patron:</i> Hanger</p> <p>An Act to amend and reenact §§ 46.2-665, as it is currently effective and as it shall become effective, 46.2-666, as it is currently effective and as it shall become effective, 46.2-667, 46.2-670, as it is currently effective and as it shall become effective, 46.2-672, as it shall become effective, 46.2-673, as it is currently effective and as it shall become effective, 46.2-684.2, 58.1-2403, and 58.1-3505 of the Code of Virginia and to amend and reenact the second enactment of Chapter 51 and the second enactment of Chapter 52 of the Acts of Assembly of 2022, relating to farm use placards.</p> <p><i>Summary as passed Senate:</i></p> <p>Farm use placards. Delays from July 1, 2023, to July 1, 2024, the date by which vehicles claiming a farm use exemption are required to obtain a farm use placard from the Department of Motor Vehicles and display such placard at all times. The bill provides that the requirement to display a farm use placard only applies to pickup or panel trucks and sport utility vehicles. The bill removes certain requirements on the application for a farm use placard, prohibits requesting additional information on such application, and prohibits disclosure of application information. The bill authorizes the use of an agricultural or horticultural vehicle for disposing of incidental refuse and a seasonal transportation vehicle for driving to a storage house, packing plant, or market regardless of distance. The bill clarifies that the exemption for transporting back to a farm essential food includes procuring a meal for a farmer or his employees and that such exemption applies while engaged in authorized farm vehicle uses. The bill exempts vehicles required to obtain a farm use placard from the motor vehicle sales and use tax and authorizes localities to exempt such vehicles from personal property tax. This bill is identical to HB 1806</p>	<p>7/1/2024</p>	<p>Statewide</p>
<p>BPOL</p>		
<p><u>HB 1685</u> Business local; taxes, penalties.</p> <p><i>Chief patron:</i> Greenhalgh</p> <p>An Act to amend and reenact §§ 58.1-3703.1 and 58.1-3916 of the Code of Virginia, relating to local business taxes; penalties.</p> <p><i>Summary as passed House:</i></p> <p>Local business taxes; penalties. Requires license application forms to include the due date for the application and the amount of the penalty charged for late application filing, the underpayment of estimated tax, and the late payment of tax. The bill requires the assessing official, upon assessing any such penalty or any interest, to notify the affected taxpayer of the amount of such penalty, any interest assessed, and the total amount of tax owed. This bill is a recommendation of the Small Business Commission</p>	<p>7/1/2023</p>	<p>Statewide</p>

<p>HB 2200 Anti-cancer drugs; analyzing current reimbursement, etc., for medical practices that administer.</p> <p><i>Chief patron:</i> Robinson</p> <p>An Act to direct the Secretary of Health and Human Resources to convene a work group to analyze and review current reimbursement and operational challenges for medical practices that administer anti-cancer drugs in an in-office setting; report.</p> <p><i>Summary as passed:</i></p> <p>License taxes; deductions; report. Directs the Secretary of Health and Human Resources to convene a work group to analyze and review current reimbursement and operational challenges for medical practices that administer anti-cancer drugs in an in-office setting. The bill requires the Secretary to report his recommendations to the Chairmen of the House Committee on Finance, the House Committee on Appropriations, the House Committee on Health, Welfare, and Institutions, the Senate Committee on Finance and Appropriations, and the Senate Committee on Education and Health by November 15, 2023.</p>	<p>11/15/2023</p>	<p>Statewide</p>
<p>Constitutional Officers</p>		
<p>HB 1789 Health insurance; credits for certain local officials and employees.</p> <p><i>Chief patron:</i> Filler-Corn</p> <p>An Act to amend and reenact § 51.1-1403 of the Code of Virginia, relating to health insurance credits for certain local officials and employees.</p> <p><i>Summary as passed:</i></p> <p>Health insurance credits for certain local officials and employees. Increases the amount of monthly health insurance credits received by retired constitutional officers and their employees with a minimum of 15 years of creditable service from \$1.50 to \$1.75 per month per year of creditable service not to exceed \$52.50 per month beginning July 1, 2024.</p>	<p>7/1/2024</p>	<p>Statewide</p>

<p>HB 2289 Elected and certain appointed; procedure for removal by courts.</p> <p><i>Chief patron:</i> Williams</p> <p>An Act to amend and reenact §§ 24.2-233, as it is currently effective and as it shall become effective, and 24.2-235 through 24.2-238 of the Code of Virginia, relating to procedure for removal of elected and certain appointed officers by courts.</p> <p><i>Summary as passed:</i></p> <p>Procedure for removal of elected and certain appointed officers by courts. Sets out the procedure by which, and clarifies the reasons for which, an elected officer or officer who has been appointed to fill an elective office may be removed from office. The bill requires, among other things, that the general registrar review the petition for removal of an officer and determine its sufficiency in accordance with the uniform standards approved by the State Board of Elections and that the attorney for the Commonwealth review such petition to determine if valid grounds exist to remove the officer. If the attorney for the Commonwealth is the elected official who is subject to the removal petition, the bill specifies that the Chief Justice of the Supreme Court of Virginia is tasked with appointing an alternate attorney for the Commonwealth to receive such petition. As introduced, this bill was a recommendation of the Boyd-Graves Conference. This bill is identical to SB 1431.</p>	<p>7/1/2023</p>	<p>Statewide</p>
<p>SB 1431 Elected and certain appointed; procedure for removal by courts.</p> <p><i>Chief patron:</i> Surovell</p> <p>An Act to amend and reenact §§ 24.2-233, as it is currently effective and as it shall become effective, and 24.2-235 through 24.2-238 of the Code of Virginia, relating to procedure for removal of elected and certain appointed officers by courts.</p> <p><i>Summary as passed Senate:</i></p> <p>Procedure for removal of elected and certain appointed officers by courts. Sets out the procedure by which, and clarifies the reasons for which, an elected officer or officer who has been appointed to fill an elective office may be removed from office. The bill requires, among other things, that the general registrar review the petition for removal of an officer and determine its sufficiency in accordance with the uniform standards approved by the State Board of Elections and that the attorney for the Commonwealth review such petition to determine if valid grounds exist to remove the officer. If the attorney for the Commonwealth is the elected official who is subject to the removal petition, the bill specifies that the Chief Justice of the Supreme Court of Virginia is tasked with appointing an alternate attorney for the Commonwealth to receive such petition. As introduced, this bill was a recommendation of the Boyd-Graves Conference. This bill is identical to HB 2289.</p>	<p>7/1/2023</p>	<p>Statewide</p>