

1 **Senate Bill No. 69**

2 (By Senator Facemire)

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4 [Introduced January 8, 2014; referred to the Committee on the
5 Judiciary; and then to the Committee on Finance.]

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7 **FISCAL**
8 **NOTE**

9
10 A BILL to amend and reenact §11-1C-5b of the Code of West Virginia,
11 1931, as amended, relating to fair and equitable property
12 valuation; assessment for purpose of calculating local share;
13 sales ratio analysis of market value of real property; and
14 specifying that the sixty-percent ratio of market value is to
15 be based upon market value determined within the three-year
16 period preceding the analysis.

17 *Be it enacted by the Legislature of West Virginia:*

18 That §11-1C-5b of the Code of West Virginia, 1931, as amended,
19 be amended and reenacted to read as follows:

20 **ARTICLE 1C. FAIR AND EQUITABLE PROPERTY VALUATION.**

21 **§11-1C-5b. Assessment for purpose of calculating local share.**

22 (a) This section is effective July 1, ~~2013~~ 2014.

23 (b) The Tax Commissioner shall calculate the total assessed

1 values for the purpose of calculating local share for each county
2 each year pursuant to this section and report the total assessed
3 values to the State Board of Education on or before December 1, of
4 each year.

5 (c) To provide for assessors to assess at sixty percent of
6 market value, it is the intent of the Legislature that local share,
7 as set forth in section eleven, article nine-a, chapter eighteen of
8 this code, be calculated assuming that the types of property
9 included in the assessment ratio study in each county are assessed
10 at a level in which the assessment ratio study indicates would be
11 sixty percent of market value.

12 (d) For each of Classes II, III and IV as set forth in section
13 five, article eight of this chapter, all real property of the type
14 that is or would be included in the assessment ratio study if sold
15 is assumed for the purpose of calculating local share to be
16 assessed at the amount the property would be assessed at if all the
17 property in the class were adjusted under the assumption that,
18 using a ratio of sixty percent, all the property were under or over
19 assessed to the same extent as that property included in the
20 assessment ratio study so that using the assessment ratio study as
21 an indicator all the property in the class would be assessed at the
22 ratio of sixty percent of market value: *Provided*, That if the
23 sales ratio analysis indicates that assessments are within ten

1 percent of sixty percent of market value as determined at any time
2 within the preceding three-year period, assessments are considered
3 to be sixty percent of market value for the purposes of this
4 section.

5 (e) The amount of the assumed assessed values determined
6 pursuant to subsection (d) of this section shall be added to the
7 actual assessed values of personal property, farmland, managed
8 timberland, public utility property or any other centrally assessed
9 property provided in paragraphs (A), (B), (C) and (D), subdivision
10 (2), subsection (a), section five of this article and the sum of
11 these values is the total assessed value for the purpose of
12 calculating local share.

NOTE: The purpose of this bill is to clarify the valid period
for determining the sixty percent ratio of market value to be the
three-year period preceding the sales ratio analysis.

Strike-throughs indicate language that would be stricken from
the present law, and underscoring indicates new language that would
be added.