

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2414

**FISCAL
NOTE**

(BY DELEGATE CAPUTO)

[Introduced February 13, 2017; Referred
to the Committee on the Judiciary then Finance.]

1 A BILL to amend and reenact §11A-1-3 of the Code of West Virginia, 1931, as amended, relating
 2 to allowing quarterly payment of real and personal property taxes.

Be it enacted by the Legislature of West Virginia:

1 That §11A-1-3 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 1. ACCRUAL AND COLLECTION OF TAXES.

§11A-1-3. Accrual; time for payment; interest on delinquent taxes.

1 (a) All current taxes assessed on real and personal property may be paid in two
 2 installments. The first installment ~~shall be~~ is payable on September 1 of the year for which the
 3 assessment is made and ~~shall become~~ becomes delinquent on October 1; the second installment
 4 ~~shall be~~ is payable on ~~the first day of~~ the following March 1 and ~~shall become~~ becomes delinquent
 5 on April 1. Taxes paid on or before the date when they are payable, including both first and
 6 second installments or quarterly installments, ~~shall be~~ are subject to a discount of two and one-
 7 half percent. If taxes are not paid on or before the date ~~on which~~ they become delinquent,
 8 including both first and second installments or quarterly installments, interest at the rate of nine
 9 percent per annum shall be added from the date they become delinquent until paid. Beginning
 10 July 1, 2017, current taxes assessed on real and personal property may be paid in quarterly
 11 installments: (1) The first quarterly installment is payable on September 1 of the year for which
 12 the assessment is made and becomes delinquent on October 1; (2) the second quarterly
 13 installment is payable on the following January 1 and becomes delinquent on February 1; (3) the
 14 third installment is payable on the following March 1 and becomes delinquent on April 1; and (4)
 15 the fourth installment is payable on the following August 1 and becomes delinquent on September
 16 1.

17 (b) With regard to real and personal property taxes, when any return, claim, statement or
 18 other document is required to be filed or any payment is required to be made within a prescribed

19 period or before a prescribed date and the applicable law requires delivery to the office of the
20 sheriff of a county of this state, the methods prescribed in ~~§11-10-5f~~ section five-f, article ten,
21 chapter eleven of this code for timely filing and payment to the Tax Commissioner or Department
22 of ~~tax and~~ Revenue shall be the same methods ~~utilized~~ used for timely filing and payment with
23 ~~such~~ the sheriff. Nothing contained in this subsection (b) ~~shall prohibit~~ prohibits the sheriff from
24 establishing additional methods of payment in accordance with the provisions of section eight-a
25 of this article.

NOTE: The purpose of this bill is to allow quarterly payment of real and personal property taxes.

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