WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4859

By Delegate E. Pritt

[Introduced January 17, 2024; Referred to the Committee on Finance]

A BILL to amend and reenact §11-4-2 of the Code of West Virginia, 1931, as amended, relating to creating a new real property tax category for short term rentals.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4. ASSESSMENT OF REAL PROPERTY.

§11-4-2. Form of landbooks.

The Tax Commissioner shall prescribe a form of landbook and the information and itemization to be entered therein, which shall include separate entries of: (1) All real property or whatever portion thereof in square feet that is owned, used, and occupied by the owner exclusively for residential purposes, including mobile homes, permanently affixed to the land and owned by the owner of the land; (2) all real property or whatever portion thereof in square feet that is owned by an organization that is exempt from federal income taxes under 26 U. S. C. §501(c)(3) or 501 (c)(4) and used primarily and immediately for a purpose that is exempt from tax under §11-3-9 of this code; (3) all real property or whatever portion thereof in square feet that is owned by an organization that is exempt from federal income taxes under 26 U. S. C. §501(c)(3) or 501 (c)(4) and that is not used primarily and immediately for a purpose that is exempt from tax under §11-3-9 of this code; (4) all farms including land used for agriculture, horticulture, and grazing occupied by the owner or bona fide tenant; (5) all real property that is used for short term rentals under 26 U. S. C. §469, (6) and all other real property. For each entry there shall be shown: (A) The value of land, the value of buildings, and the aggregate value; (B) the character and estate of the owners, the number of acres or lots, and the local description of the tracts or lots; and (C) the amount of taxes assessed against each tract or lot for all purposes.

NOTE: The purpose of this bill is to create a new real property tax category for short term rentals.

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