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SENATE JOINT RESOLUTION NO. 247  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Privileges and Elections  
on January 31, 2023)  
(Patron Prior to Substitute--Senator Hashmi)

Proposing an amendment to Section 6 of Article X of the Constitution of Virginia, relating to tax and finance; exempt property; affordable housing tax exemption.

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6 of Article X of the Constitution of Virginia as follows:

ARTICLE X  
TAXATION AND FINANCE

Section 6. Exempt property.

(a) Except as otherwise provided in this Constitution, the following property and no other shall be exempt from taxation, State and local, including inheritance taxes:

(1) Property owned directly or indirectly by the Commonwealth or any political subdivision thereof, and obligations of the Commonwealth or any political subdivision thereof exempt by law.

(2) Real estate and personal property owned and exclusively occupied or used by churches or religious bodies for religious worship or for the residences of their ministers.

(3) Private or public burying grounds or cemeteries, provided the same are not operated for profit.

(4) Property owned by public libraries or by institutions of learning not conducted for profit, so long as such property is primarily used for literary, scientific, or educational purposes or purposes

26 incidental thereto. This provision may also apply to leasehold interests in such property as may be  
27 provided by general law.

28 (5) Intangible personal property, or any class or classes thereof, as may be exempted in whole or  
29 in part by general law.

30 (6) Property used by its owner for religious, charitable, patriotic, historical, benevolent, cultural,  
31 or public park and playground purposes, as may be provided by classification or designation by an  
32 ordinance adopted by the local governing body and subject to such restrictions and conditions as provided  
33 by general law.

34 (7) Land subject to a perpetual easement permitting inundation by water as may be exempted in  
35 whole or in part by general law.

36 (8) One motor vehicle owned and used primarily by or for a veteran of the armed forces of the  
37 United States or the Virginia National Guard who has been rated by the United States Department of  
38 Veterans Affairs or its successor agency pursuant to federal law with a one hundred percent service-  
39 connected, permanent, and total disability. For purposes of this subdivision, the term "motor vehicle" shall  
40 include only automobiles and pickup trucks. Any such motor vehicle owned by a married person may  
41 qualify if either spouse is a veteran who is one hundred percent disabled pursuant to this subdivision. This  
42 exemption shall be applicable on the date the motor vehicle is acquired or the effective date of this  
43 subdivision, whichever is later, but shall not be applicable for any period of time prior to the effective  
44 date.

45 (b) The General Assembly may by general law authorize the governing body of any county, city,  
46 town, or regional government to provide for the exemption from local property taxation, or a portion  
47 thereof, within such restrictions and upon such conditions as may be prescribed, of real estate and personal  
48 property designed for continuous habitation owned by, and occupied as the sole dwelling of, persons not  
49 less than sixty-five years of age or persons permanently and totally disabled as established by general law.  
50 A local governing body may be authorized to establish either income or financial worth limitations, or  
51 both, in order to qualify for such relief.

52 (c) Except as to property of the Commonwealth, the General Assembly by general law may restrict  
53 or condition, in whole or in part, but not extend, any or all of the above exemptions.

54 (d) The General Assembly may define as a separate subject of taxation any property, including  
55 real or personal property, equipment, facilities, or devices, used primarily for the purpose of abating or  
56 preventing pollution of the atmosphere or waters of the Commonwealth or for the purpose of transferring  
57 or storing solar energy, and by general law may allow the governing body of any county, city, town, or  
58 regional government to exempt or partially exempt such property from taxation, or by general law may  
59 directly exempt or partially exempt such property from taxation.

60 (e) The General Assembly may define as a separate subject of taxation household goods, personal  
61 effects and tangible farm property and products, and by general law may allow the governing body of any  
62 county, city, town, or regional government to exempt or partially exempt such property from taxation, or  
63 by general law may directly exempt or partially exempt such property from taxation.

64 (f) Exemptions of property from taxation as established or authorized hereby shall be strictly  
65 construed; provided, however, that all property exempt from taxation on the effective date of this section  
66 shall continue to be exempt until otherwise provided by the General Assembly as herein set forth.

67 (g) The General Assembly may by general law authorize any county, city, town, or regional  
68 government to impose a service charge upon the owners of a class or classes of exempt property for  
69 services provided by such governments.

70 (h) The General Assembly may by general law authorize the governing body of any county, city,  
71 town, or regional government to provide for a partial exemption from local real property taxation, within  
72 such restrictions and upon such conditions as may be prescribed, (i) of real estate whose improvements,  
73 by virtue of age and use, have undergone substantial renovation, rehabilitation or replacement or (ii) of  
74 real estate with new structures and improvements in conservation, redevelopment, or rehabilitation areas.

75 (i) The General Assembly may by general law allow the governing body of any county, city, or  
76 town to exempt or partially exempt from taxation any generating equipment installed after December  
77 thirty-one, nineteen hundred seventy-four, for the purpose of converting from oil or natural gas to coal or

78 to wood, wood bark, wood residue, or to any other alternate energy source for manufacturing, and any co-  
79 generation equipment installed since such date for use in manufacturing.

80 (j) The General Assembly may by general law allow the governing body of any county, city, or  
81 town to have the option to exempt or partially exempt from taxation any business, occupational or  
82 professional license or any merchants' capital, or both.

83 (k) The General Assembly may by general law authorize the governing body of any county, city,  
84 or town to provide for a partial exemption from local real property taxation, within such restrictions and  
85 upon such conditions as may be prescribed, of improved real estate subject to recurrent flooding upon  
86 which flooding abatement, mitigation, or resiliency efforts have been undertaken.

87 (l) The General Assembly may by general law authorize the governing body of any county, city,  
88 town, or regional government to provide for the exemption from local real property taxation, or a portion  
89 thereof, within such restrictions and upon such conditions as shall be prescribed, to reduce the effect of  
90 increasing assessments on persons who are longtime, owner-occupied single-family homeowners with  
91 low income. Such general law shall require that the real property is designed for single-family habitation  
92 and has been owned by and continuously occupied as the sole dwelling of that person for a prescribed  
93 minimum number of years, shall require that the assessment on the property has increased by a prescribed  
94 minimum percentage over the previous year or over a number of previous years, shall require that the  
95 taxes on such property are current or that such person has entered into a plan for payment of any delinquent  
96 taxes, and shall establish the annual household income limits to qualify for such exemption.

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