

H. B. 2235

(By Delegate Duke)

[Introduced January 12, 2011; referred to the
Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §11-6B-8, relating to
county commissions providing an election to allow resident
homeowners, sixty-five years old or older, to defer the
payment of property tax increases to their residential
property during their lifetimes.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §11-6B-8, to read as
follows:

**ARTICLE 6B. HOMESTEAD PROPERTY TAX EXEMPTION AND TAX DEFERMENT
ELECTION.**

§11-6B-8. Deferment election.

A county commission may provide an election to homeowners

1 residing in the county who are sixty-five years old or older and
2 who have been residents of West Virginia for five or more years to
3 defer all property tax increases over the amount of the property
4 tax paid on June 1, 2010, for the remainder of the life of the
5 homeowner. Upon the death of the homeowner or his or her spouse,
6 whichever is the later, the deferred taxes shall be recaptured,
7 without interest, upon the sale or transfer of the property.

NOTE: The purpose of this bill is to permit county commissions to allow resident homeowners, who are sixty-five years or older, to defer the payment of property tax increases to their residential property during their lifetime.

This section is new; therefore, it has been completely underscored.