

H. B. 2360

(By Delegates Caputo, Manchin and Longstreth)
[Introduced January 12, 2011; referred to the
Committee on the Judiciary then Finance.]

**FISCAL
NOTE**

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 1. ACCRUAL AND COLLECTION OF TAXES.

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

(a) All current taxes assessed on real and personal property
may be paid in two installments. The first installment shall be
payable on September 1 of the year for which the assessment is
made, and shall become delinquent on October 1; the second
installment shall be payable on the ~~first day of the~~ following
March 1 and shall become delinquent on April 1. Taxes paid on or
before the date when they are payable, including both first and

1 second installments or quarterly installments, shall be subject to
2 a discount of two and one-half percent. If taxes are not paid on
3 or before the date on which they become delinquent, including both
4 first and second installments or quarterly installments, interest
5 at the rate of nine percent per annum shall be added from the date
6 they become delinquent until paid. Beginning July 1, 2011, current
7 taxes assessed on real and personal property may be paid in
8 quarterly installments. The first quarterly installment shall be
9 payable on September 1 of the year for which the assessment is
10 made, and shall become delinquent on October 1; the second
11 quarterly installment shall be payable on the following January 1
12 and shall become delinquent on February 1; the third installment
13 shall be payable on the following March 1 and shall become
14 delinquent on April 1; the fourth installment shall be payable on
15 the following August 1 and shall become delinquent on September 1.

16 (b) With regard to real and personal property taxes, when any
17 return, claim, statement or other document is required to be filed,
18 or any payment is required to be made within a prescribed period or
19 before a prescribed date, and the applicable law requires delivery
20 to the office of the sheriff of a county of this state, the methods
21 prescribed in §11-10-5f for timely filing and payment to the Tax
22 Commissioner or Department of ~~tax~~ and Revenue shall be the same
23 methods utilized for timely filing and payment with such sheriff.
24 Nothing contained in this subsection (b) shall prohibit the sheriff

1 from establishing additional methods of payment in accordance with
2 the provisions of section eight-a 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 the present law, and underscoring indicates new language that would be added.