

1 Ad valorem property taxation shall be in accordance with this
2 section and other applicable provisions of this article not
3 inconsistent with this section.

4 *Subsection A -- Value; Rate of Assessment; Exceptions*

5 Notwithstanding any other provisions of this Constitution and
6 except as otherwise provided in this section, all property subject
7 to ad valorem taxation shall be assessed at sixty percent of its
8 value, as directed to be ascertained in this section, except that
9 the Legislature may from time to time, by general law agreed to by
10 two thirds of the members elected to each house, establish a higher
11 percentage for the purposes of this paragraph, which percentage
12 shall be uniform as to all classes of property defined in section
13 one of this article, but not more than one hundred percent of ~~such~~
14 the value.

15 Notwithstanding the foregoing, for the first day of July, one
16 thousand nine hundred eighty-two, and the first day of July of each
17 year thereafter until the values may be fixed as a result of the
18 first statewide reappraisal hereinafter required, assessments shall
19 be made under the provisions of current statutory law, which is
20 hereby validated for ~~such~~ that purpose until and unless amended by
21 the Legislature. Assessment and taxation in accord with this
22 section ~~shall be deemed to be~~ is equal and uniform for all
23 purposes.

24 *Subsection B -- Determination of Value*

1 The Legislature shall provide by general law for periodic
2 statewide reappraisal of all property, which reappraisal shall be
3 related for all property to a specified base year which, as to each
4 ~~such~~ reappraisal, shall be uniform for each appraisal for all
5 classes of property and all counties. In such law, the Legislature
6 shall provide for consideration of: (1) Trends in market values
7 over a fixed period of years prior to the base year; (2) the
8 location of the property; and (3) ~~such~~ other factors and methods as
9 it may determine: *Provided*, That with respect to reappraisal of
10 all property upon the base year of one thousand nine hundred
11 eighty, ~~such~~ reappraisals are deemed to be valid and in compliance
12 with this section: *Provided, however*, That with respect to farm
13 property, as defined from time to time by the Legislature by
14 general law, the determination of value shall be according to its
15 fair and reasonable value for farming purposes, as may be defined
16 by general law.

17 The results of each statewide appraisal shall upon completion
18 be certified and published and errors therein may be corrected, all
19 as provided by general law. The first ~~such~~ statewide appraisal
20 shall be completed, certified and published on or before the
21 thirty-first day of March, one thousand nine hundred eighty-five,
22 for use when directed by the Legislature.

23 The Legislature shall further prescribe by general law the
24 manner in which each statewide reappraisal shall be employed to

1 establish the value of the various separately assessed parcels or
2 interests in parcels of real property and various items of personal
3 property subject to ad valorem property taxation, the methods by
4 which increases and reductions in value subsequent to the base year
5 of each statewide reappraisal shall be ascertained, and require the
6 enforcement thereof.

7 *Subsection C -- General Homestead Exemption*

8 Notwithstanding any other provisions of this Constitution to
9 the contrary, the first ~~twenty~~ forty thousand dollars of assessed
10 valuation of any real property, or of personal property in the form
11 of a mobile home, used exclusively for residential purposes and
12 occupied by the owner or one of the owners thereof as his or her
13 residence who is a citizen of this state and who is sixty-five
14 years of age or older or is permanently and totally disabled as
15 that term may be defined by the Legislature, shall be exempt from
16 ad valorem property taxation, subject to ~~such~~ the requirements,
17 limitations and conditions as shall be prescribed by general law.

18 Notwithstanding any other provision of this Constitution to
19 the contrary, the Legislature shall have the authority to provide
20 by general law for an exemption from ad valorem property taxation
21 in an amount not to exceed the first ~~twenty~~ forty thousand dollars
22 of value of any real property, or of personal property in the form
23 of a mobile home, used exclusively for residential purposes and
24 occupied by the owner or one of the owners thereof as his or her

1 residence who is a citizen of this state, and who is under
2 sixty-five years of age and not totally and permanently disabled:
3 *Provided*, That upon enactment of ~~such~~ the general law, this
4 exemption shall only apply to ~~such~~ the property in any county in
5 which the property was appraised at its value as of the first day
6 of January, one thousand nine hundred eighty, or thereafter, as
7 determined by the Legislature, and this exemption shall be phased
8 in over ~~such~~ the period of time not to exceed five years from the
9 date ~~such~~ the property was so appraised, or such longer time as the
10 Legislature may determine by general law: *Provided, however*, That
11 in no event shall any one person and his or her spouse, or one
12 homestead be entitled to more than one exemption under these
13 provisions: *Provided further*, That the Legislature is authorized
14 in ten years from the passage of this provision and every tenth
15 year thereafter, to increase the value of the exemption herein
16 provided, to reflect any increase in the rate of inflation that may
17 occur during each such successive ten-year period: *And provided*
18 *further*, That these provisions are subject to ~~such~~ the
19 requirements, limitations and conditions as shall be prescribed by
20 general law.

21 The Legislature shall have the authority to provide by general
22 law for property tax relief to citizens of this state who are
23 tenants of residential or farm property.

24 *Subsection D -- Additional Limitations on Value*

1 With respect to the first statewide reappraisal, pursuant to
2 this section, the resulting increase in value in each and every
3 parcel of land or interest therein and various items of personal
4 property subject to ad valorem property taxation over and above the
5 previously assessed value shall be allocated over a period of ten
6 years in equal amounts annually.

7 The Legislature may by general law also provide for the
8 phasing in of any subsequent statewide reappraisal of property.

9 *Subsection E -- Levies for Free Schools*

10 In equalizing the support of free schools provided by state
11 and local taxes, the Legislature may require that the local school
12 districts levy all or any portion of the maximum levies allowed
13 under section one of this article which has been allocated to ~~such~~
14 the local school districts.

15 Within the limits of the maximum levies permitted for excess
16 levies for schools or better schools in sections one and ten of
17 this article, the Legislature may, in lieu of the exercise of such
18 powers by the local school districts as heretofore provided, submit
19 to the voters, by general law, a statewide excess levy, and if it
20 be approved by the required number of voters, impose ~~such~~ the levy,
21 subject however to all the limitations and requirements for the
22 approval of ~~such~~ the levies as in the case of a district levy. The
23 law submitting the question to the voters shall provide, upon
24 approval of the levy by the voters, for the assumption of the

1 obligation of any local excess levies for schools then in force
2 theretofore authorized by the voters of a local taxing unit to the
3 extent of ~~such~~ the excess levies imposed by the state and so as to
4 avoid double taxation of those local districts. The Legislature
5 may also by general law reserve to the school districts ~~such~~ the
6 portions of the power to lay authorized excess levies as it may
7 deem appropriate to enable local school districts to provide
8 educational services which are not required to be furnished or
9 supported by the state. If a statewide excess levy for the support
10 of free schools is approved by the required majority, the revenue
11 from ~~such~~ a statewide excess levy shall be deposited in the State
12 Treasury and be allocated first for the local obligations assumed
13 and thereafter for ~~such~~ part of the state effort to support free
14 schools, by appropriation or as the law submitting the levy to the
15 voters shall require, as the case may be.

16 The defeat of any ~~such~~ proposed statewide excess levy for
17 school purposes ~~shall~~ may not in any way abrogate or impair any
18 local existing excess levy for ~~such~~ that purpose nor prevent the
19 adoption of any future local excess levy for ~~such~~ that purpose.

20 *Subsection F -- Implementation*

21 In the event of any inconsistency between any of the
22 provisions of this section and other provisions of this
23 Constitution, the provisions of this section shall prevail. The
24 Legislature shall have plenary power to provide by general law for

1 the equitable application of this article and, as to taxes to be
2 assessed prior to the first statewide reappraisal, to make such
3 laws retroactive to the first day of July, one thousand nine
4 hundred eighty-two, or thereafter.

5 *Resolved further,* That in accordance with the provisions of
6 article eleven, chapter three of the Code of West Virginia, 1931,
7 as amended, such proposed amendment is hereby numbered "Amendment
8 No. 1" and designated as the "Homestead Exemption Increase
9 Amendment" and the purpose of the proposed amendment is summarized
10 as follows: "The purpose of this amendment is to increase the
11 homestead exemption from twenty thousand dollars to forty thousand
12 dollars and to provide that the Legislature has authority to adjust
13 the exemption every tenth year after the passage of this amendment
14 to reflect any increase in the rate of inflation."

NOTE: The purpose of this resolution is to increase the
homestead exemption from \$20,000 to \$40,000. The bill also
provides that the Legislature may adjust the exemption every ten
years to reflect any increased rate of inflation.

Strike-throughs indicate language that would be stricken from
the present Constitution, and underscoring indicates new language
that would be added.