

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 July 1 ,1982 and July 1 of
16 each year thereafter until the values may be fixed as a result of
17 the first statewide reappraisal hereinafter required, assessments
18 shall be made under the provisions of current statutory law, which
19 is hereby validated for ~~such~~ that purpose until and unless amended
20 by the Legislature. Assessment and taxation in accord with this
21 section ~~shall be deemed to be~~ is equal and uniform for all
22 purposes.

23 *Subsection B -- Determination of Value*

24 The Legislature shall provide by general law for periodic

1 statewide reappraisal of all property, which reappraisal shall be
2 related for all property to a specified base year which, as to each
3 ~~such~~ reappraisal, shall be uniform for each appraisal for all
4 classes of property and all counties. In such law, the Legislature
5 shall provide for consideration of: (1) Trends in market values
6 over a fixed period of years prior to the base year; (2) the
7 location of the property; and (3) ~~such~~ other factors and methods as
8 it may determine: *Provided*, That with respect to reappraisal of
9 all property upon the base year of 1980, ~~such~~ reappraisals are
10 deemed to be valid and in compliance with this section: *Provided*,
11 *however*, That with respect to farm property, as defined from time
12 to time by the Legislature by general law, the determination of
13 value shall be according to its fair and reasonable value for
14 farming purposes, as may be defined by general law.

15 The results of each statewide appraisal shall upon completion
16 be certified and published and errors therein may be corrected,
17 all as provided by general law. The first ~~such~~ statewide
18 appraisal shall be completed, certified and published on or before
19 March 31, for use when directed by the Legislature.

20 The Legislature shall further prescribe by general law the
21 manner in which each statewide reappraisal shall be employed to
22 establish the value of the various separately assessed parcels or
23 interests in parcels of real property and various items of
24 personal property subject to ad valorem property taxation, the

1 methods by which increases and reductions in value subsequent to
2 the base year of each statewide reappraisal shall be ascertained,
3 and require the enforcement thereof.

4 *Subsection C -- General Homestead Exemption*

5 Notwithstanding any other provisions of this Constitution to
6 the contrary, the first ~~twenty thousand dollars~~ \$30,000 of
7 assessed valuation of any real property, or of personal property
8 in the form of a mobile home, used exclusively for residential
9 purposes and occupied by the owner or one of the owners thereof as
10 his or her residence who is a citizen of this state and who is
11 sixty-five years of age or older or is permanently and totally
12 disabled as that term may be defined by the Legislature, shall be
13 exempt from ad valorem property taxation, subject to ~~such~~ the
14 requirements, limitations and conditions as shall be prescribed by
15 general law.

16 Notwithstanding any other provision of this Constitution to
17 the contrary, the Legislature ~~shall have~~ has the authority to
18 provide by general law for an exemption from ad valorem property
19 taxation in an amount not to exceed the first ~~twenty thousand~~
20 ~~dollars~~ \$30,000 of value of any real property, or of personal
21 property in the form of a mobile home, used exclusively for
22 residential purposes and occupied by the owner or one of the
23 owners thereof as his or her residence who is a citizen of this
24 state, and who is under sixty-five years of age and not totally

1 and permanently disabled: *Provided*, That upon enactment of ~~such~~
2 the general law, this exemption shall only apply to ~~such~~ the
3 property in any county in which the property was appraised at its
4 value as of January 1, 1980 or thereafter, as determined by the
5 Legislature, and this exemption shall be phased in over ~~such~~ the
6 period of time not to exceed five years from the date ~~such~~ the
7 property was so appraised, or such longer time as the Legislature
8 may determine by general law: *Provided, however*, That in no event
9 shall any one person and his or her spouse, or one homestead be
10 entitled to more than one exemption under these provisions:
11 *Provided further*, That these provisions are subject to ~~such~~ the
12 requirements, limitations and conditions as shall be prescribed by
13 general law.

14 The Legislature ~~shall have~~ has the authority to provide by
15 general law for property tax relief to citizens of this state who
16 are tenants of residential or farm property.

17 *Subsection D -- Additional Limitations on Value*

18 With respect to the first statewide reappraisal, pursuant to
19 this section, the resulting increase in value in each and every
20 parcel of land or interest therein and various items of personal
21 property subject to ad valorem property taxation over and above
22 the previously assessed value shall be allocated over a period of
23 ten years in equal amounts annually.

24 The Legislature may by general law also provide for the

1 phasing in of any subsequent statewide reappraisal of property.

2 *Subsection E -- Levies for Free Schools*

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

8 Within the limits of the maximum levies permitted for excess
9 levies for schools or better schools in sections one and ten of
10 this article, the Legislature may, in lieu of the exercise of such
11 powers by the local school districts as heretofore provided,
12 submit to the voters, by general law, a statewide excess levy, and
13 if it ~~be~~ is approved by the required number of voters, impose ~~such~~
14 the levy, subject however to all the limitations and requirements
15 for the approval of ~~such~~ the levies as in the case of a district
16 levy. The law submitting the question to the voters shall
17 provide, upon approval of the levy by the voters, for the
18 assumption of the obligation of any local excess levies for
19 schools then in force theretofore authorized by the voters of a
20 local taxing unit to the extent of ~~such~~ the excess levies imposed
21 by the state and so as to avoid double taxation of those local
22 districts. The Legislature may also by general law reserve to the
23 school districts ~~such~~ the portions of the power to lay authorized
24 excess levies as it may deem appropriate to enable local school

1 districts to provide educational services which are not required
2 to be furnished or supported by the state. If a statewide excess
3 levy for the support of free schools is approved by the required
4 majority, the revenue from ~~such~~ a statewide excess levy shall be
5 deposited in the State Treasury and be allocated first for the
6 local obligations assumed and thereafter for ~~such~~ part of the
7 state effort to support free schools, by appropriation or as the
8 law submitting the levy to the voters shall require, as the case
9 may be.

10 The defeat of any ~~such~~ proposed statewide excess levy for
11 school purposes ~~shall~~ may not in any way abrogate or impair any
12 local existing excess levy for ~~such~~ that purpose nor prevent the
13 adoption of any future local excess levy for ~~such~~ that purpose.

14 *Subsection F -- Implementation*

15 In the event of any inconsistency between any of the
16 provisions of this section and other provisions of this
17 Constitution, the provisions of this section shall prevail. The
18 Legislature shall have plenary power to provide by general law for
19 the equitable application of this article and, as to taxes to be
20 assessed prior to the first statewide reappraisal, to make such
21 laws retroactive July 1, 1982, or thereafter.

22 *Resolved further,* That in accordance with the provisions of
23 article eleven, chapter three of the Code of West Virginia, 1931,
24 as amended, such proposed amendment is hereby numbered "Amendment

1 No. 1" and designated as the "Homestead Exemption Increase
2 Amendment" and the purpose of the proposed amendment is summarized
3 as follows: "The purpose of this amendment is to increase the
4 homestead exemption from ~~twenty thousand dollars~~ to \$30,000."

NOTE: The purpose of this resolution is to increase the homestead exemption from \$20,000 to \$30,000.

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