

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 2353

By Delegate Barnhart

[Introduced January 11, 2023; Referred to the
Committee on Political Subdivisions then Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §7-1-3aa, relating to permitting counties to create a tax reduction fund; reduce
 3 taxes or fees on businesses and individuals; and use the savings funds for losses or
 4 shortfalls in the prior fiscal year.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1. COUNTY COMMISSIONS GENERALLY.

§7-1-3aa. Tax reduction savings fund; county commissions may reduce taxes or fees.

1 (a) In addition to all powers and duties now conferred by law upon county commissions,
 2 county commissions may reduce taxes, or fees on individuals or businesses, and on business or
 3 residential properties. The county commission may determine whether the reduced tax or fee shall
 4 be on all such taxes or fees, or on any one or more of the taxes or fees.

5 (b) The county commission may establish a special fund to be known as the "tax reduction
 6 savings fund". The fund shall consist of unexpended balances of other funds resulting from the
 7 reduction of taxes or fees which may be transferred to the fund, with the approval of the State Tax
 8 Commissioner, at the end of the fiscal year: *Provided*, That the county commission may determine
 9 the percentage of tax reduction savings to be transferred to the fund.

10 (c) The fund may be used, from time to time, if there is a shortfall or loss in the prior fiscal
 11 year budget. Expenditures may be made from the fund only in accordance with an appropriation
 12 made pursuant to the annual budget not to exceed the amount equal to the loss or shortfall in the
 13 prior fiscal year.

NOTE: The purpose of this bill is to permit county commissions to create a tax reduction fund; reduce taxes or fees on businesses and individuals; and use the savings funds for losses or shortfalls in the prior fiscal year.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.