

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 5630**

By Delegates Holstein, Barnhart, Tully, Mallow,  
Cannon, Foster, and E. Pritt

[Introduced February 12, 2024; Referred to the  
Committee on Finance]

1 A BILL to amend and reenact §11-3-2a of the Code of West Virginia, 1931, as amended, relating to  
 2 notice of increased assessment of real property, if assessed value is more than five  
 3 percent of the valuation for the last tax year.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 3. ASSESSMENTS GENERALLY.**

**§11-3-2a. Notice of increased assessment required for real property; exceptions to notice.**

1 (a) If the assessor determines the assessed valuation of any item of real property  
 2 appraised by him or her is more than ~~40~~ five percent greater than the valuation assessed for that  
 3 item in the last tax year, the increase is ~~\$1,000~~ \$750 or more, and the increase is entered in the  
 4 property books as provided in §11-3-19 of this code, the assessor shall give notice of the increase  
 5 to the person assessed or the person controlling the property as provided in section two of this  
 6 article. The notice shall be given on or before January 15 of the tax year and advise the person  
 7 assessed or the person controlling the property of his or her right to appear and seek an  
 8 adjustment in the assessment: *Provided*, That this notification requirement does not apply to  
 9 industrial or natural resources property appraised by the Tax Commissioner under §11-6K-1 *et*  
 10 *seq.* of this code which is assessed at 60 percent of its true and actual value. The notice shall be  
 11 made by first-class United States postage mailed to the address of the person assessed or the  
 12 person controlling the property for payment of tax on the item in the previous year, unless there  
 13 was a general increase of the entire valuation in one or more of the tax districts in which case the  
 14 notice shall be by publication of the notice by a Class II-0 legal advertisement in compliance with  
 15 ~~the provisions of §59-3-1 et seq.~~ of this code. The area for the publication is the county. The  
 16 requirement of notice under this section is satisfied and waived if personal notice of the increase is  
 17 shown by:

- 18 (1) The taxpayer having signed the assessment form after it had been completed showing
- 19 the increase;
- 20 (2) Notice was given as provided in §11-3-3-a of this code; or

21           (3) The person assessed executing acknowledgment of the notice of the increase.  
22           (b) During the initial reappraisal of all property under §11-1C-7 of this code, the Tax  
23 Commissioner and each county assessor shall send every person owning or controlling property  
24 appraised by the Tax Commissioner or the county assessor a pamphlet which explains the  
25 reappraisal process and its equalization goal in a detailed yet informal manner. The property  
26 valuation training and procedures commission, created under §11-1C-1 *et seq.* section three, of  
27 this code, shall design the pamphlet for use in all counties while allowing individual county  
28 information to be included if it determines that the information would improve understanding of the  
29 process.

NOTE: The purpose of this bill is to require notice of increased assessment of real property, if assessed value is more than five percent of the valuation for the last tax 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.