

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 618

By Senators Thorne and Willis

[Introduced February 27, 2025; referred
to the Committee on Agriculture; and then to the
Committee on Finance]

1 A BILL to amend and reenact §11-1A-10 of the Code of West Virginia, 1931, as amended, relating
2 to allowing for a reduction in property tax for certain farmland in this state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1A. APPRAISAL OF PROPERTY.

§11-1A-10. Valuation of farm property.

1 (a) With respect to farm property, the Tax Commissioner shall appraise such property so as
2 to ascertain its fair and reasonable value for farming purposes regardless of what the value of the
3 property would be if used for some other purpose, and the value shall be arrived at by giving
4 consideration to the fair and reasonable income which the property might be expected to earn in
5 the locality wherein situated, if rented. The fair and reasonable value for farming purposes shall be
6 deemed to be the market value of such property for appraisal purposes.

7 (b) A person is not engaged in farming if he or she is primarily engaged in forestry or
8 growing timber. Additionally, notwithstanding the provisions of subsection (c) of this section, a
9 corporation is not engaged in farming unless its principal activity is the business of farming, and in
10 the event that the controlling stock interest in the corporation is owned by another corporation, the
11 corporation owning the controlling interest must also be primarily engaged in the business of
12 farming.

13 (c) Farm property owned by a corporation that does not meet the 50% threshold to claim a
14 reduction in property tax appraisal, but which has at least \$20,000 in sales, use, or consumption of
15 agricultural products on that farm property, shall be eligible for a reduction in property tax
16 appraisals for all qualified farmland by the corporation. The Tax Commissioner shall promulgate
17 rules to ensure that the provisions of this subsection are available to eligible persons and
18 corporations.

NOTE: The purpose of this bill relates to allowing for a reduction in property tax for certain farmland in this state.

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