

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 45

**FISCAL
NOTE**

By Senator Thorne

[Introduced January 14, 2026; 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 reduced property valuation for certain farmland.

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, a corporation is not engaged in farming unless its principal activity is
9 the business of farming, and in the event that the controlling stock interest in the corporation is
10 owned by another corporation, the corporation owning the controlling interest must also be
11 primarily engaged in the business of farming.

12 (c) Notwithstanding the provisions of subsection (b) of this section, a corporation that is not
13 engaged in the business of farming as its principal activity, but which owns farm property that is
14 annually utilized to produce for sale, consumption, or use at least \$20,000 of agricultural products,
15 as that term is defined in §11-1A-3(g) of this code, shall be eligible to have such farm property
16 appraised by the commissioner in the manner prescribed by subsection (a) of this section. All
17 parcels of farm property owned by the corporation, regardless of whether contiguous or not, shall
18 be considered together in determining whether the corporation's farm property produces at least
19 \$20,000 of agricultural products.

NOTE: The purpose of this bill is to authorize a reduced property appraisal to certain

corporate owners of farm property in the 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.