

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 474

**FISCAL
NOTE**

By Senator Rucker

[Introduced January 19, 2026; referred

to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §11-29-1 and §11-29-2, relating to the Truth in Taxation Act; defining terms;
3 setting forth criteria for tax rates; and establishing notice and public hearing requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 29. TRUTH IN TAXATION ACT.

§11-29-1. Definitions.

1 For purposes of this article:

2 "Revenue neutral rate" means the tax rate for the current tax year that would generate the
3 same property tax revenue as levied the previous tax year using the current tax year's total
4 assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the
5 property tax revenue for such taxing subdivision levied for the previous tax year by the total of all
6 taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply
7 the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to
8 the third decimal place

9 "Taxing subdivision" means any political subdivision of the state that levies an ad valorem
10 tax on property.

§11-29-2. Application.

1 (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral
2 rate for each taxing subdivision and include such revenue neutral rate on the notice of the
3 estimated assessed valuation provided to each taxing subdivision for budget purposes. The
4 director of accounts and reports shall modify the prescribed budget information form to show the
5 revenue neutral rate.

6 (b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body
7 of any taxing subdivision unless a resolution or ordinance has been approved by the governing
8 body according to the following procedure:

9 (1) The governing body shall publish notice of its proposed intent to exceed the revenue

10 neutral rate in the official county newspaper of the county where the taxing subdivision or taxing
11 district is located and on the website of the governing body, if the governing body maintains a
12 website, at least 10 days in advance of the public hearing. The notice shall include, but not be
13 limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the
14 public hearing.

15 (2) On or before July 15, the governing body shall notify the county clerk of its proposed
16 intent to exceed the revenue neutral rate and provide the date, time and location of the public
17 hearing and its proposed tax rate. The county clerk shall notify each taxpayer with property in the
18 taxing subdivision or taxing district, by mail directed to the taxpayer's last known address, of the
19 proposed intent to exceed the revenue rate at least 10 days in advance of the public hearing.
20 Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least
21 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in
22 writing to service by electronic means. Costs associated with the notice shall be borne by the
23 taxing subdivision with payment due to the county clerk by December 31. The county clerk shall
24 consolidate the required information for all taxing subdivisions relevant to the taxpayer's property
25 on one notice. The notice shall include, but not be limited to:

26 (A) The revenue neutral rate;
27 (B) The proposed property tax revenue needed to fund the proposed budget;
28 (C) The proposed tax rate based upon the proposed budget and the current year's total
29 assessed valuation;
30 (D) The tax rate and property tax of the taxing subdivision on the taxpayer's property from
31 the previous year's tax statement;
32 (E) The proposed percent change in the tax rate between the previous year's tax rate and
33 the proposed tax rate for the current year;
34 (F) The appraised value and assessed value of the taxpayer's property for the current year;
35 (G) The estimates of the tax for the current tax year on the taxpayer's property based on

36 the revenue neutral rate and the proposed tax rate; and

37 (H) The date, time and location of the public hearing.

38 (3) The public hearing to consider exceeding the revenue neutral rate shall be held on or
39 before September 15. The governing body shall provide interested taxpayers desiring to be heard
40 an opportunity to present oral testimony within reasonable time limits and without unreasonable
41 restriction on the number of individuals allowed to make public comment.

42 (4) A majority vote of the governing body, by the adoption of a resolution or ordinance to
43 approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed
44 budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing
45 body shall be conducted at the public hearing after the governing body has heard from interested
46 taxpayers.

47 (c) Any governing body subject to the provisions of this section that does not comply with
48 subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of
49 the levy that was in excess of the certified tax revenue neutral rate. The provisions of this
50 subsection shall not be construed as prohibiting any other remedies available under the law.

51 (d) The provisions of this subsection do not apply to school districts organized and
52 operating under the laws of this state.

53 (e) If the governing body of a taxing subdivision must conduct a public hearing to approve
54 exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision
55 shall certify, on or before September 20, to the proper county clerk the amount of ad valorem tax to
56 be levied.

57 (f) The provisions of this section shall not apply to any taxing subdivision or taxing district
58 that receives \$5,000 or less in revenue from property taxes in the current year.

NOTE: The purpose of this bill is to create the Truth in Taxation Act.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.