



Albemarle County

Legislation Text

File #: 22-255, **Version:** 1

AGENDA DATE: 4/20/2022

TITLE:

Public Hearing to Consider the Adoption of an Ordinance to Exempt Real Property Owned by Surviving Spouses of Certain Persons Killed in the Line of Duty from Taxation

SUBJECT/PROPOSAL/REQUEST: Public hearing to consider the adoption of an ordinance to amend County Code Chapter 15, Taxation, Article 7, Real Property Tax, by adding a new section for the exemption from taxes on property of surviving spouses of certain persons killed in the line of duty.

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Hudson, Bessette, Birch, Sumner, Lin, Lynch

PRESENTER (S): Nelsie Birch

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: During the February 16 work session, the Board received and discussed information on current real estate and personal property tax relief/exemption programs, as well as the opportunity to add new programs or modify existing programs. The Board directed staff to bring forth the proposed surviving spouses of persons killed in the line of duty real estate tax exemption program.

STRATEGIC PLAN: Mission - To enhance the well-being and quality of life for all community members through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: Virginia Code § 58.1-3219.13 through 58.1-3219.16 grants localities the authority to exempt from real estate taxation properties of surviving spouses of certain persons killed in the line of duty. The attached proposed ordinance (Attachment A) would amend County Code Chapter 15, Taxation, Article 7, Real Property Tax, by adding § 15-704.1 to implement the enabled real estate tax exemption. The program applicant must be a surviving spouse of individuals identified in the State's Line of Duty Act (Virginia Code § 9.1-400). The applicant must own the real property for which the exemption is sought and must occupy the property as their principal residence. The applicant shall retain program eligibility as long as they do not remarry. The amount of the exemption will be full exemption up to the average assessed value of a single-family residence. If the assessed value is more than the average, only the amount in excess of the average will be subject to real property taxes. The start date for this program is January 1, 2022.

BUDGET IMPACT: The real estate tax exemption for surviving spouses of persons killed in the line of duty would decrease collectible tax revenues. For FY 23, the budgetary impact of the program is estimated to be \$50,000 and is incorporated into the FY 23 proposed budget.

RECOMMENDATION:

Staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

ATTACHMENTS:

A - Real estate LODA exemption proposed ordinance