Proposing an amendment to Section 6-A of Article X of the Constitution of Virginia, relating to real property tax; exemption.

Agreed to by the House of Delegates, February 6, 2017
Agreed to by the Senate, February 17, 2017

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6-A of Article X of the Constitution of Virginia as follows:

ARTICLE X

TAXATION AND FINANCE

Section 6-A. Property tax exemption for certain veterans and their surviving spouses and surviving spouses of soldiers killed in action.

(a) Notwithstanding the provisions of Section 6, the General Assembly by general law, and within the restrictions and conditions prescribed therein, shall exempt from taxation the real property, including the joint real property of husband and wife, of any veteran who has been determined by the United States Department of Veterans Affairs or its successor agency pursuant to federal law to have a one hundred percent service-connected, permanent, and total disability, and who occupies the real property as his or her principal place of residence. The General Assembly shall also provide this exemption from taxation for real property owned by the surviving spouse of a veteran who was eligible for the exemption provided in this section, so long as the surviving spouse does not remarry and continues to occupy the real property as his or her principal place of residence. This exemption applies to the surviving spouse’s principal place of residence without any restriction on the spouse’s moving to a different principal place of residence.

(b) Notwithstanding the provisions of Section 6, the General Assembly by general law, and within the restrictions and conditions prescribed therein, may exempt from taxation the real property of the surviving spouse of any member of the armed forces of the United States who was killed in action as determined by the United States Department of Defense, who occupies the real property as his or her principal place of residence. The exemption under this subdivision shall cease if the surviving spouse remarries and shall not be claimed thereafter. This exemption applies regardless of whether the spouse was killed in action prior to the effective date of this subdivision, but the exemption shall not be applicable for any period of time prior to the effective date. This exemption applies to the surviving spouse’s principal place of residence without any restriction on the spouse’s moving to a different principal place of residence and without any requirement that the spouse reside in the Commonwealth at the time of death of the member of the armed forces.
Proposing an amendment to the Constitution of Virginia by adding in Article X a section numbered 7-B, relating to special funds for transportation purposes.

Agreed to by the House of Delegates, February 25, 2017
Agreed to by the Senate, February 22, 2017

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend the Constitution of Virginia by adding in Article X a section numbered 7-B as follows:

ARTICLE X

TAXATION AND FINANCE

Section 7-B. Transportation Funds.
(a) The General Assembly shall maintain permanent and separate Transportation Funds. The Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, any other Fund established by general law for transportation, and all subsidiary accounts and parts thereof, shall be deemed Transportation Funds for purposes of this section.
(b) There shall be deposited to the Transportation Funds all revenues dedicated to the Transportation Funds under provisions of general law, but excluding a general appropriation law, in effect on January 1, 2018. However, the General Assembly may by general law, but excluding a general appropriation law, make changes to the revenues dedicated and paid into the Transportation Funds. Money in the Transportation Funds may be invested as authorized by law.
(c) The General Assembly shall appropriate Transportation Funds only for purposes of (i) financing, acquiring, constructing, improving, maintaining, and operating transportation systems in the Commonwealth, and all purposes incidental thereto; (ii) furthering the interests of the Commonwealth in highways, public transportation, railways, seaports, and airports; and (iii) providing for the operations of state agencies related to transportation.
(d) The General Assembly may borrow from Transportation Funds for other purposes only by an affirmative vote of two-thirds of the members elected to each house. The name of each member voting and how he voted shall be recorded in the journal of each house. Any amount borrowed shall be repaid to the Transportation Funds, with reasonable interest, not later than the end of the fourth full fiscal year following the effective date of the borrowing.
VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 772

SENATE JOINT RESOLUTION NO. 295

Proposing an amendment to the Constitution of Virginia by adding in Article IV a section numbered 19, relating to legislative review of administrative rules.

Agreed to by the Senate, February 7, 2017
Agreed to by the House of Delegates, February 20, 2017

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend the Constitution of Virginia by adding in Article IV a section numbered 19 as follows:

ARTICLE IV

LEGISLATURE

Section 19. Legislative review of administrative rules.

The General Assembly may review any administrative rule to ensure it is consistent with the legislative intent of the statute that the rule was written to interpret, prescribe, implement, or enforce. After that review, the General Assembly may approve or reject, in whole or in part, any rule as provided by law. The approval or rejection of a rule by the General Assembly shall not be subject to gubernatorial veto under Article V, Section 6 of this Constitution.
VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 769

HOUSE JOINT RESOLUTION NO. 545

Proposing an amendment to Section 14 of Article IV of the Constitution of Virginia, relating to powers of the General Assembly; suspension or nullification of administrative rule or regulation.

Agreed to by the House of Delegates, February 22, 2017
Agreed to by the Senate, February 20, 2017

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 14 of Article IV of the Constitution of Virginia as follows:

ARTICLE IV

LEGISLATURE

Section 14. Powers of General Assembly; limitations.

The authority of the General Assembly shall extend to all subjects of legislation not herein forbidden or restricted; and a specific grant of authority in this Constitution upon a subject shall not work a restriction of its authority upon the same or any other subject. The omission in this Constitution of specific grants of authority heretofore conferred shall not be construed to deprive the General Assembly of such authority, or to indicate a change of policy in reference thereto, unless such purpose plainly appear.

The General Assembly shall confer on the courts power to grant divorces, change the names of persons, and direct the sales of estates belonging to infants and other persons under legal disabilities, and shall not, by special legislation, grant relief in these or other cases of which the courts or other tribunals may have jurisdiction.

The General Assembly may regulate the exercise by courts of the right to punish for contempt.

The General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by a joint resolution agreed to by a majority of the members elected to each house. The General Assembly may by general law authorize a legislative committee or legislative committees acting jointly or a legislative commission to suspend any or all portions of any administrative rule or regulation while the General Assembly is not in a regular session, within such restrictions and upon such conditions as may be prescribed. An administrative rule or regulation suspended by such committee or commission shall be suspended until the end of the next regular session.

The General Assembly's power to define the accrual date for a civil action based on an intentional tort committed by a natural person against a person who, at the time of the intentional tort, was a minor shall include the power to provide for the retroactive application of a change in the accrual date. No natural person shall have a constitutionally protected property right to bar a cause of action based on intentional torts as described herein on the ground that a change in the accrual date for the action has been applied retroactively or that a statute of limitations or statute of repose has expired.

The General Assembly shall not enact any local, special, or private law in the following cases:

(1) For the punishment of crime.
(2) Providing a change of venue in civil or criminal cases.
(3) Regulating the practice in, or the jurisdiction of, or changing the rules of evidence in any judicial proceedings or inquiry before the courts or other tribunals, or providing or changing the methods of collecting debts or enforcing judgments or prescribing the effect of judicial sales of real estate.
(4) Changing or locating county seats.
(5) For the assessment and collection of taxes, except as to animals which the General Assembly may deem dangerous to the farming interests.
(6) Extending the time for the assessment or collection of taxes.
(7) Exempting property from taxation.
(8) Remitting, releasing, postponing, or diminishing any obligation or liability of any person, corporation, or association to the Commonwealth or to any political subdivision thereof.
(9) Refunding money lawfully paid into the treasury of the Commonwealth or the treasury of any political subdivision thereof.
(10) Granting from the treasury of the Commonwealth, or granting or authorizing to be granted from the treasury of any political subdivision thereof, any extra compensation to any public officer, servant, agent, or contractor.
(11) For registering voters, conducting elections, or designating the places of voting.
(12) Regulating labor, trade, mining, or manufacturing, or the rate of interest on money.
(13) Granting any pension.
(14) Creating, increasing, or decreasing, or authorizing to be created, increased, or decreased, the
salaries, fees, percentages, or allowances of public officers during the term for which they are elected or
appointed.
(15) Declaring streams navigable, or authorizing the construction of booms or dams therein, or the
removal of obstructions therefrom.
(16) Affecting or regulating fencing or the boundaries of land, or the running at large of stock.
(17) Creating private corporations, or amending, renewing, or extending the charters thereof.
(18) Granting to any private corporation, association, or individual any special or exclusive right,
privilege, or immunity.
(19) Naming or changing the name of any private corporation or association.
(20) Remitting the forfeiture of the charter of any private corporation, except upon the condition that
such corporation shall thereafter hold its charter subject to the provisions of this Constitution and the
laws passed in pursuance thereof.
2017 SESSION
SJ 331 Constitutional amendment; property tax, exemption for flooding remediation, abatement, etc.
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SUMMARY AS INTRODUCED:

Constitutional amendment (first resolution); property tax; exemption for flooding remediation, abatement, and resiliency efforts. Provides that the General Assembly may authorize a county, city, or town to partially exempt any real subject to recurring flooding upon which flooding abatement, mitigation, or resiliency efforts have been undertaken.

FULL TEXT
01/20/17 Senate: Presented and ordered printed 17103985D pdf
03/07/17 Senate: Bill text as passed Senate and House (SJ331ER) pdf
03/27/17 Governor: Acts of Assembly Chapter text (CHAP0773) pdf

HISTORY
01/20/17 Senate: Presented and ordered printed 17103985D
01/20/17 Senate: Referred to Committee on Privileges and Elections
01/31/17 Senate: Reported from Privileges and Elections (13-Y 0-N 1-A)
02/02/17 Senate: Reading waived (39-Y 0-N)
02/03/17 Senate: Read second time and engrossed
02/06/17 Senate: Read third time and agreed to by Senate (38-Y 2-N)
02/08/17 House: Placed on Calendar
02/08/17 House: Referred to Committee on Privileges and Elections
02/08/17 House: Assigned P & E sub: Campaigns
02/16/17 House: Subcommittee recommends reporting (4-Y 3-N)
02/17/17 House: Reported from Privileges and Elections (12-Y 10-N)
02/21/17 House: Taken up
02/21/17 House: Agreed to by House (59-Y 37-N)
02/21/17 House: VOTE: ADOPTION (59-Y 37-N)
03/07/17 Senate: Enrolled
03/07/17 Senate: Bill text as passed Senate and House (SJ331ER)
03/07/17 House: Signed by Speaker
03/10/17 Senate: Signed by President
03/27/17 House: Assigned Chapter 773 (effective 7/1/17)
03/27/17 Governor: Acts of Assembly Chapter text (CHAP0773)