

Section 18

Taxes on Natural Resources, 2004

Localities are permitted to impose several taxes on natural resources. **Table 18.1** provides tax rates for the one city and nine counties having such natural resource-related taxes in effect during the 2004 tax year.

TAXATION OF MINERAL LANDS

Under § 58.1-3286 of the *Code of Virginia*, localities are required to “specially and separately assess at the fair market value all mineral lands and the improvements thereon” and enter those assessments separately from assessments of other lands and improvements. Mineral lands are taxed at the same rate as other real estate in the locality. Localities may request technical assistance from the Virginia Department of Taxation in assessing mineral lands and minerals, provided money is available to the department to defray the cost of the assistance (§ 58.1-3287). Instead of employing the real property tax for mineral lands, localities are permitted to substitute a severance tax on mineral sales, not to exceed 1 percent. Currently, no localities utilize the severance tax option permitted by § 58.1-3286.

SEVERANCE TAX

Under § 58.1-3712 of the *Code of Virginia*, any city or county may levy a license tax on persons engaged in severing coal and gases from the earth. The maximum rate permitted is 1 percent of the gross receipts from sales. Localities choosing to use § 58.1-3712 may not exercise the option to levy a 1 percent severance tax under § 58.1-3286. Under § 58.1-3712.1, the maximum rate permitted for severing oil is one-half of 1 percent from the sale of the severed oil. Notwithstanding the rate limits established in § 58.1-3712, cities or counties may impose an additional license tax of 1 percent of the gross receipts from the sale of gas severed as authorized by § 58.1-3713.4. The funds from this additional levy are paid into the general fund of the localities except in the counties of Buchanan, Dickenson, Lee, Russell, Scott, Tazewell, and Wise and the City of Norton, where one-half of the revenues must be paid to the Virginia Coalfield Economic Development Fund.

COAL AND GAS ROAD IMPROVEMENT TAX

Notwithstanding the rate limits described in the previous paragraph, localities are permitted by § 58.1-3713 to levy up to an additional 1 percent license tax on the gross receipts of coal and gas severed from the ground. The amount collected under this tax must be paid into a special fund to be called the Coal and Gas Road Improvement Fund of that particular county or city. At its discretion, a county may elect to improve the roads of cities and towns within its boundaries, provided the municipality gives its consent. One-half of the revenue paid to this fund may be used for the purpose of funding the construction of new water systems and lines in areas of insufficient natural supplies. Localities are required to develop and ratify an annual funding plan for such projects. Under § 58.1-3713.1, 20 percent of the funds collected in Wise County are distributed to the City of Norton and the six incorporated towns within the county’s boundaries (Appalachia, Big Stone Gap, Coeburn, Pound, Saint Paul, and Wise). The distribution is determined as follows: a) 25 percent is divided among the incorporated towns and the city based on the number of registered motor vehicles in each town and the City of Norton, and b) 75 percent is divided equally among the towns and the City of Norton. The Coal and Gas Road Improvement Advisory Committee in each city and county must develop a plan before July 1 of each year for road improvements for the following fiscal year. For localities that comprise the Virginia Coalfield Economic Development Authority, the receipts from this tax are distributed as follows: three-fourths to the Coal and Gas Road Improvement Fund and one-fourth to the Virginia Coalfield Economic Development Fund. The purpose of this fund is to enhance the economic base for the seven counties and one city that comprise the authority. The member communities are Lee, Wise, Scott, Buchanan, Russell, Tazewell, and Dickenson counties and the City of Norton. Seven counties and the City of Norton levy a coal and gas road improvement tax.



Table 18.1
Natural Resource Taxes, 2004

Locality	Per \$100 of Gross Receipts (%)			
	Coal & Gas Severance Tax (§ 58.1-3712)	Oil Severance Tax (§ 58.1-3712.1)	Additional Gas Severance Tax (§ 58.1-3713.4)	Coal & Gas Road Improvement Tax (§ 58.1-3713)
Cities (Note: All cities responded to the survey. Those that answered "not applicable" for all items in this table are excluded.)				
Norton ^a	1.0	N/A	N/A	1.0
Counties (Note: All counties responded to the survey. Those that answered "not applicable" for all items in this table are excluded.)				
Buchanan	1.0	0.5	1.0	1.0
Dickenson	1.0	0.5	N/A	1.0
Lee	1.0	0.5	1.0	1.0
Pulaski	1.0	N/A	1.0	1.0
Rockingham	1.0	0.5	N/A	N/A
Russell	1.0	0.5	N/A	1.0
Scott	1.0	0.5	1.0	1.0
Tazewell	1.0	N/A	1.0	1.0
Wise	1.0	0.5	1.0	1.0
Towns (No towns reported having natural resource severance taxes.)				
N/A Not applicable.				
^a The City of Norton reports that it also charges a mineral loading tax of \$0.05/ton of coal.				