

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 15.2-2413.1, 15.2-2413.10, and 58.1-3825.4 of the Code of Virginia; to*  
 3 *amend the Code of Virginia by adding a section numbered 15.2-740.1; and to repeal § 58.1-3825.3 of the*  
 4 *Code of Virginia, relating to tourism improvement districts; administering nonprofits; county manager*  
 5 *plan; transient occupancy tax.*

6 [S 314]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That §§ 15.2-2413.1, 15.2-2413.10, and 58.1-3825.4 of the Code of Virginia are amended and**  
 10 **reenacted and that the Code of Virginia is amended by adding a section numbered 15.2-740.1 as**  
 11 **follows:**

12 **§ 15.2-740.1. Additional transient occupancy tax.**

13 *In addition to the transient occupancy tax authorized by § 58.1-3819, the board may impose an additional*  
 14 *transient occupancy tax not to exceed one percent of the total price paid by the customer for the use or*  
 15 *possession of any room or space occupied in a retail sale. The revenues collected from the additional tax*  
 16 *shall be designated and spent for the purpose of promoting tourism and business travel in the county.*

17 **§ 15.2-2413.1. Definitions.**

18 As used in this article, unless the context requires a different meaning:

19 "Activities" means any programs or services provided for the purpose of conferring specific benefits upon  
 20 the businesses that are located in the tourism improvement district and to which a fee is charged.

21 "Administering nonprofit" means a private nonprofit entity that is under contract with a locality to  
 22 administer or implement activities specified in the tourism improvement district plan. An "administering  
 23 nonprofit" may be an existing nonprofit entity or a newly formed nonprofit entity. An "administering  
 24 nonprofit" shall be a private entity and shall not be considered a public entity for any purpose, nor may its  
 25 board members or staff be considered public officials for any purpose.

26 "Benefited business" means a business located within a tourism improvement district that is determined to  
 27 be benefited, directly or indirectly, by tourism improvement district activities provided by such tourism  
 28 improvement district. "Benefited business" includes one or more types of businesses, one or more segments  
 29 of businesses, or businesses within one or more industries, as set forth in a tourism improvement district plan.

30 "Benefit zone" means an apportioned area designated within a tourism improvement district in which  
 31 businesses pay a fee based upon the degree of benefit derived from activities to be provided.

32 "Business" means a business of any kind located in a tourism improvement district.

33 "Business fee" means any fee charged to a benefited business pursuant to this article.

34 "Business owner" means any person recognized by a locality as the owner of a business subject to a  
 35 business fee. A business may appoint an authorized agent to act as its representative for the purposes of this  
 36 article. Such agent shall be considered the business owner for the purposes of any signature required under  
 37 this article or for any other purpose authorized by the business owner. A locality shall have no obligation to  
 38 obtain other information as to the ownership of businesses, and its determination of ownership shall be final  
 39 and conclusive for the purposes of this article.

40 "Capital improvement" means an improvement to tangible personal property with an estimated useful life  
 41 of five years or more.

42 "Fee" means a fee charged by a locality in accordance with a tourism improvement district plan.

43 "Lead locality" means the locality in which the tourism improvement district plan is filed for the  
 44 establishment of a tourism improvement district where such district includes more than one locality.

45 "Locality" means any county, city, or town in the Commonwealth.

46 "Majority share of benefited businesses" means one or more benefited businesses within a tourism  
 47 improvement district or proposed tourism improvement district that cumulatively comprise a majority, based  
 48 on the weighting methodology set forth in the tourism improvement district plan.

49 "Tourism business" means any type of business in the tourism sector. "Tourism business" includes a  
 50 tourist home, hotel, motel, trailer court, recreational vehicle park, privately owned or privately managed  
 51 campground, lodging intended for short-term occupancy, restaurant, tourism attraction, and tourism activity  
 52 provider.

53 *"Tourism entity" means the same as that term is defined in § 2.2-2320.2.*

54 "Tourism improvement district" means a district established by a locality under the provisions of this  
 55 article.

56 "Tourism improvement district plan" means a proposal for a tourism improvement district under the

57 provisions of this article.

58 **§ 15.2-2413.10. Administering nonprofit.**

59 A. Any locality establishing a tourism improvement district may contract with an administering nonprofit  
60 for the purpose of carrying out such activities as may be prescribed in the tourism improvement district plan.

61 B. The administering nonprofit may make recommendations to the locality with respect to any matter  
62 involving or relating to the tourism improvement district.

63 *C. Where the tourism entity for a locality is a division of the locality, the administering nonprofit may*  
64 *enter into written agreements with the tourism entity for professional services for the purpose of carrying out*  
65 *such activities as may be prescribed in the tourism improvement district plan.*

66 *D. If the administering nonprofit is formed on or after July 1, 2026, for the purpose of carrying out such*  
67 *activities as may be prescribed in the tourism improvement district plan, such newly formed administering*  
68 *nonprofit's board of directors shall be wholly composed of business owners.*

69 *E. An administering nonprofit in existence prior to July 1, 2026, shall create a committee of business*  
70 *owners who shall oversee the activities prescribed in the tourism improvement district plan.*

71 **§ 58.1-3825.4. Additional transient occupancy tax in Prince George County.**

72 A. In addition to such transient occupancy taxes as are authorized by §§ 58.1-3819 through ~~58.1-3825.3~~  
73 ~~58.1-3825.2:1~~, Prince George County may impose an additional transient occupancy tax not to exceed two  
74 percent of the amount of the charge for the occupancy of any room or space occupied. The tax imposed  
75 hereunder shall not apply to rooms or spaces rented and continuously occupied by the same individual or  
76 same group of individuals for 30 or more days.

77 B. The governing body of Prince George County shall appropriate the revenue generated and collected  
78 from the additional tax solely for the purposes of promoting tourism, including marketing generally and  
79 marketing Prince George County as an overnight tourist destination, programs, staff, events, and capital  
80 projects. For purposes of this section, "marketing Prince George County as an overnight tourist destination"  
81 means advertising that is intended to attract visitors from a sufficient distance so as to require an overnight  
82 stay.

83 **2. That § 58.1-3825.3 of the Code of Virginia is repealed.**