HLS 17RS-589 **ORIGINAL**

2017 Regular Session

HOUSE BILL NO. 41

1

BY REPRESENTATIVE BISHOP

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TAX/LOCAL: (Constitutional Amendment) Provides relative to the frequency of submission of tax propositions by political subdivisions

A JOINT RESOLUTION

2	Proposing to amend Article VI, Section 30(B) of the Constitution of Louisiana, relative to
3	the taxing power of political subdivisions; to provide relative to the submission of
4	certain tax propositions to the electorate; to limit the time period in which such
5	submissions may be made; to provide for submission of the proposed amendment to
6	the electors; and to provide for related matters.
7	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8	elected to each house concurring, that there shall be submitted to the electors of the state of
9	Louisiana, for their approval or rejection in the manner provided by law, a proposal to
10	amend Article VI, Section 30(B) of the Constitution of Louisiana, to read as follows:
11	§30. Political Subdivisions; Taxing Power
12	Section 30.
13	* * *
14	(B) Notwithstanding the provisions of Paragraph (A) of this Section, or any
15	other provision of law to the contrary, no political subdivision shall submit the same
16	tax proposition, or a new tax proposition that includes such a tax proposition, to the
17	electorate more than once within a six month six-month period except in the case of
18	an emergency as determined by the governing authority of the political subdivision.

1 Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 6, 2 3 2018. 4 Section 3. Be it further resolved that on the official ballot to be used at the election, 5 there shall be printed a proposition, upon which the electors of the state shall be permitted 6 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as 7 follows: 8 Do you support an amendment to remove authorization for a local 9 government to submit a tax proposition to the electorate more than once 10 within a six-month period in cases of emergency? (Amends Article VI, 11 Section 30(B))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 41 Original

2017 Regular Session

Bishop

Abstract: Removes the "in cases of emergency" exception from the provision that prohibits political subdivisions from submitting local tax propositions to the electorate more than once within a six-month period.

<u>Present constitution</u> authorizes political subdivisions to exercise the power of taxation, subject to certain constitutional limitations. Provides for the exercise of such taxing power under authority granted by the legislature for parish, municipal, and local purposes which must be strictly public in nature.

<u>Present constitution</u> prohibits a local government from submitting the same tax proposition to the electorate more than one time within six-month period. <u>Proposed constitutional</u> amendment retains present constitution.

<u>Present constitution</u> provides an exception to the limitation on the frequency of submissions; provides that the limitation does not apply in cases of emergency as determined by the local government. <u>Proposed constitutional amendment</u> removes this exception.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2018.

(Amends Const. Art. VI, §30(B))