

2017 Regular Session

HOUSE BILL NO. 445

BY REPRESENTATIVES SEABAUGH, BROADWATER, AND CARMODY

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

TAX/AD VALOREM TAX: Authorizes and provides for cooperative endeavor agreements between local governmental subdivisions and other entities that may require payments in lieu of ad valorem taxes

1 AN ACT

2 To amend and reenact R.S. 33:9021(8) and (10), and 9022(1), and to enact R.S. 33:2758.1,
3 relative to ad valorem tax exemptions; to provide with respect to payments in lieu
4 of taxes pursuant to certain cooperative endeavor agreements; to provide relative to
5 procedures for the validity of certain cooperative endeavor agreements; to provide
6 for limitations and requirements; to provide for definitions; to provide for
7 effectiveness; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:9021(8) and (10), and 9022(1) are hereby amended and reenacted,
10 and R.S. 33:2758.1 is hereby enacted to read as follows:

11 §2758.1. Cooperative endeavor agreements authorizing payments in lieu of ad
12 valorem taxes; local governmental subdivisions

13 A. One or more local governmental subdivisions may enter into a joint or
14 separate cooperative endeavor agreement with any other person or entity that
15 provides for payments in lieu of ad valorem taxes imposed by a taxing authority that
16 is a party to such cooperative endeavor agreement, subject to the approval of the
17 governing body of the taxing authority as evidenced by the adoption of a resolution,
18 or in the case of a sheriff or assessor, other official indicia of approval, for that
19 purpose.

Proposed law provides that any property subject to an agreement shall be exempt from ad valorem taxation during the term of the agreement and as provided in proposed constitutional amendment.

Proposed law provides that administrative provisions concerning the collection of monies due under an agreement shall be the same as those for ad valorem taxes. Further, the validity of an agreement, as well as any transaction contemplated thereby, may be determined by the filing of a suit as provided in R.S. 13:5121, et seq., in the district court having jurisdiction for any party to the agreement in the same manner and as though the agreement constitutes an issuance of bonds by the taxing authority.

Present law provides a definition for "cooperative endeavor agreement" as a form of economic development assistance between and among the state and local governments and other entities.

Proposed law retains present law and adds "agreements providing for payments in lieu of taxes" to the definition of "cooperative endeavor agreement".

Effective if and when House Bill No. _____ of this 2017 R.S. is enacted and becomes effective.

(Amends R.S. 33:9021(8) and (10), and 9022(1); Adds R.S. 33:2758.1)