

2023 Regular Session

SENATE BILL NO. 193

BY SENATOR CATHEY

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

TAX/AD VALOREM. Provides relative to the allocation of ad valorem tax assessed values of certain property. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:1855(G)(2), relative to the assessment of public service

3 properties; to provide relative to the allocation of ad valorem tax assessed values for

4 certain types of property of nonresident companies; to require East Baton Rouge

5 Parish to remit property taxes among certain parishes; to require the Louisiana Tax

6 Commission to determine the allocation; to authorize East Baton Rouge Parish to

7 retain certain expenses incurred; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:1855(G)(2) is hereby amended and reenacted to read as follows:

10 §1855. Allocation of assessed value

11 \* \* \*

12 G.(1) \* \* \*

13 (2)(a) For those companies not provided for in Paragraph (1) of this

14 Subsection, major movable or other movable property owned or used in Louisiana

15 by a company not a resident of, nor domiciled in Louisiana, and having no agent or

16 office in this state shall be allocated to East Baton Rouge Parish; provided, that in

17 the event an assessor shall certify to the tax commission that, as of January first,



by a company having an agent or office in this state to be allocated to the taxing unit in which that agent or office is located.

Proposed law retains present law.

Present law requires certain major movable or other movable property owned or used in Louisiana by a company not a resident of, nor domiciled in Louisiana, and having no agent or office in this state to be allocated to East Baton Rouge Parish; provided, that in the event an assessor shall certify to the tax commission that, as of January first, certain identifiable major movables were present in his parish, the tax commission shall allocate the value of that major movable to the certifying parish.

Proposed law retains present law and further requires East Baton Rouge Parish to remit property taxes collected among the parishes according to the ratio of miles of all company track in a parish divided by the total number of miles of all company track in the state, as determined by the Louisiana Tax Commission.

Proposed law authorizes East Baton Rouge Parish to retain an amount equal to actual expenses incurred which shall not exceed 1% of the total amount of property taxes collected by the parish in accordance with the allocation pursuant to present law.

Applicable for taxable periods on or after January 1, 2023.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 47:1855(G)(2))