

2024 Third Extraordinary Session

HOUSE BILL NO. 11

BY REPRESENTATIVE DESHOTEL

TAX/AD VALOREM TAX: Provides for the homestead exemption, special assessment level, and other property tax exemptions for purposes of determining ad valorem taxation of certain property (Items #1 and 10)

1 AN ACT

2 To amend and reenact R.S. 47:1703, 1703.1(A), 1705(B)(1)(a) and (b)(i), (2)(a), (b),

3 (c)(i)(introductory paragraph) and (ii), (d), and (D), 1707 through 1708, 1710, 1712,

4 1713(B), 1714(introductory paragraph), (1), and (6), 1715(introductory paragraph),

5 (1), and (6), and 1716 and to enact R.S. 47:1702(12) through (15) and 1717 through

6 1719, relative to ad valorem taxation; to provide for definitions; to provide for

7 classification of property; to provide for valuation of property; to provide for

8 reappraisal of property; to provide for a special assessment level; to provide for ad

9 valorem taxation; to provide for the administration of ad valorem taxation; to provide

10 for ad valorem tax exemptions; to provide for requirements and limitations; to

11 provide for the adjustment of millages; to provide for ad valorem tax assessors; to

12 authorize and direct the Louisiana State Law Institute to re-designate certain

13 provisions; to provide for effectiveness; and to provide for related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 47:1703, 1703.1(A), 1705(B)(1)(a) and (b)(i), (2)(a), (b),

16 (c)(i)(introductory paragraph) and (ii), (d), and (D), 1707 through 1708, 1710, 1712,

17 1713(B), 1714(introductory paragraph), (1), and (6), 1715(introductory paragraph), (1), and

18 (6), and 1716 are hereby amended and reenacted and R.S. 47:1702(12) through (15) and

19 1717 through 1719 are hereby enacted to read as follows:

1 §1702. Definitions

2 As used in this Subtitle, the following terms have the meaning ascribed to  
3 them in this Section, unless the context clearly indicates otherwise:

4 \* \* \*

5 (12) "Distributor" means a person engaged in the sale of products for resale  
6 or further processing for resale.

7 (13)(a) "Business inventory" means the aggregate of those items of tangible  
8 personal property that are held for sale in the ordinary course of business, are  
9 currently in the process of production for subsequent sale, or are to physically  
10 become a part of the production of goods.

11 (b) "Business inventory" shall include the following:

12 (i) Goods or commodities awaiting sale including but not limited to the  
13 merchandise of a retail or wholesale concern, the finished goods of a manufacturer,  
14 the commodities from farms, mines, and quarries, and goods that are used or trade-in  
15 merchandise and by-products of a manufacturer.

16 (ii) Goods or commodities that are in the course of production.

17 (iii) Raw materials and supplies that will be consumed in the Louisiana  
18 manufacturing process.

19 (iv) Any item of tangible personal property owned by a retailer that is  
20 available for or subject to a short-term rental and that will subsequently or ultimately  
21 be sold by the retailer. For purposes of this Item, the term "short-term rental" means  
22 a rental of an item of tangible personal property for a period of less than three  
23 hundred sixty-five days, for an undefined period, or under an open-ended agreement.

24 (c) "Business inventory" shall not include the following:

25 (i) Oil stored in tanks held by a producer prior to the first sale of the oil, and  
26 oil otherwise exempt from ad valorem taxation pursuant to law.

27 (ii) Items that would otherwise be considered inventory at any time following  
28 the initial lease by the taxpayer of such items. The provisions of this Item shall not

1 include the rental of tangible personal property as provided for in Item (a)(iv) of this  
2 Paragraph.

3 (iii) Items that would otherwise be considered inventory any time after the  
4 taxpayer has commenced depreciating the item on the taxpayer's federal tax return.

5 The provisions of this Item shall not include the rental of tangible personal property  
6 as provided for in Item (a)(iv) of this Paragraph.

7 (iv) Items that have been subject to use by the taxpayer when owned for more  
8 than eighteen months. The provisions of this Item shall not include the rental of  
9 tangible personal property as provided for in Item (a)(iv) of this Paragraph.

10 (v) Items that are otherwise exempt from ad valorem taxation pursuant to  
11 law, including goods, commodities, or personal property stored in the state for use  
12 in interstate commerce.

13 (14) "Manufacturer" means one of the following:

14 (a) A person engaged in the business of working raw materials into wares  
15 suitable for use or which gives new shapes, qualities, or combinations to matter  
16 which already has gone through some artificial process.

17 (b) A person who meets the definition of "manufacturer" as provided in  
18 Subparagraph (a) of this Paragraph and who has claimed an ad valorem exemption  
19 pursuant to a contract with the State Board of Commerce and Industry as permitted  
20 by law for manufacturing establishments, during the taxable year in which the local  
21 inventory taxes were levied.

22 (15) "Retailer" means a person engaged in the sale of products to the ultimate  
23 consumer. The term "retailer" shall also include a person engaged in the short-term  
24 rental of tangible personal property classified under code numbers 532412 and  
25 532310 of the North American Industry Classification System published by the  
26 United States Bureau of the Census as the code numbers existed in 2022 and who is  
27 registered with the Department of Revenue, or its successor, as a retailer as defined  
28 in this Paragraph.

## 1           §1703. Exemptions

2           A. Generally. ~~(1) Effective January 1, 1978, and thereafter, there~~ The  
3           following property shall be exempt from state, parish, and special ad valorem taxes:  
4           all property which is declared to be exempt from taxation by Sections 20 and 21 of  
5           Article VII of the Constitution and pursuant to the authority contained in Section 17  
6           of Article VI of the Constitution, and no other. However, the exemption for a bona  
7           fide homestead, as defined in Subparagraph (1) of Paragraph A of Section 20 of  
8           Article VII of the Constitution, for the years 1978 through 1981 only, and in the  
9           parish of Orleans through 1982 only, shall be five thousand dollars of assessed  
10          valuation. ~~Effective on the first day in January in each parish, in the year in which~~  
11          ~~the appraisal and valuation provisions of Paragraph (F) of Section 18 of Article VII~~  
12          ~~of the Constitution of Louisiana are implemented and thereafter, the exemption, for~~  
13          ~~a bona fide homestead exemption as defined in Section 20 of Article VII of the~~  
14          ~~Constitution, shall be seven thousand, five hundred dollars of the assessed valuation.~~

15          ~~(2) Any taxpayer entitled to the homestead exemption set forth in Article~~  
16          ~~VII, Section 20 of the Constitution of Louisiana must own and occupy the homestead~~  
17          ~~on or before December thirty-first of the calendar year in which the exemption is~~  
18          ~~claimed regardless of its homestead exemption status as of January first of the~~  
19          ~~calendar year in which the homestead exemption is claimed.~~

20          ~~B. Orleans Parish. In the parish of Orleans, the status of real and personal~~  
21          ~~property on the first day of August of each year, except as provided in Paragraph~~  
22          ~~(A)(2) of this Section, shall determine its liability for exemption from taxation for~~  
23          ~~the following calendar year.~~

24          ~~C. Penalties for false statements. Any person who, either in his individual~~  
25          ~~or representative capacity, knowingly makes any false statement or knowingly~~  
26          ~~furnishes any false information in any affidavit or other document that he may~~  
27          ~~present for the purpose of procuring or attempting to procure this tax exemption or~~  
28          ~~benefit under the provisions of this Section, or who knowingly, for the purpose of~~  
29          ~~securing such tax exemption, presents any affidavit or other document containing~~

1        ~~any false statement, or any person aiding, assisting or abetting any such person in~~  
2        ~~unlawfully and knowingly securing or attempting to secure any such tax exemption,~~  
3        ~~with knowledge of such false or illegal application or such false statement, shall be~~  
4        ~~guilty of a misdemeanor punishable as hereinafter provided.~~

5                ~~Any assessor, deputy assessor, or other official, clerk or employee of the state~~  
6        ~~or any of its political subdivisions, who knowingly reports, lists, or claims any~~  
7        ~~property on which exemption from taxes under Sections 20 and 21 of Article VII of~~  
8        ~~the constitution has been applied for, to be subject to a higher millage for taxation~~  
9        ~~purposes than is the true millage applicable thereto, shall be guilty of a misdemeanor,~~  
10       ~~punishable as hereinafter provided.~~

11               ~~Upon conviction for a violation of any of the provisions of this Subsection~~  
12       ~~the offender shall be punishable by a fine of not less than one hundred dollars, nor~~  
13       ~~more than five hundred dollars, or by imprisonment of not less than one month, nor~~  
14       ~~more than six months, or both.~~

15               ~~D. Undivided ownership. The exemption for a bona fide homestead, as~~  
16       ~~provided for in Subsection A of this Section, when occupied by an heir in the direct~~  
17       ~~line in undivided ownership shall be granted to the full extent provided no other~~  
18       ~~homestead exemption is claimed by that person.~~

19               ~~E. For property damaged during a disaster or emergency, the following shall~~  
20       ~~apply:~~

21               ~~(1)(a) Any homestead receiving the homestead exemption that is damaged~~  
22       ~~or destroyed during a disaster or emergency declared by the governor whose owner~~  
23       ~~is unable to occupy the homestead on or before December thirty-first of a calendar~~  
24       ~~year due to such damage or destruction shall be entitled to claim the exemption by~~  
25       ~~filing with the assessor of the parish in which the homestead was located, an annual~~  
26       ~~affidavit of intent to return and reoccupy the homestead within a period of five years~~  
27       ~~from December thirty-first of the tax year in which the disaster occurred. In no event~~  
28       ~~shall more than one homestead exemption extend or apply to any person in this state.~~

1           ~~(b) For homesteads qualifying for the homestead exemption under the~~  
2           ~~provisions of this Paragraph, after expiration of the five-year period, the owner of a~~  
3           ~~homestead shall be entitled to claim and keep the exemption for a period not to~~  
4           ~~exceed two additional years by filing an annual affidavit of intent to return and~~  
5           ~~reoccupy the homestead with the assessor within the parish where the homestead is~~  
6           ~~situated. A homeowner shall be eligible for this extension only if the homeowner's~~  
7           ~~damage claim to repair or rebuild the damaged or destroyed homestead is filed and~~  
8           ~~pending in a formal appeal process with any federal, state, or local government~~  
9           ~~agency or program offering grants or assistance for repairing or rebuilding damaged~~  
10           ~~or destroyed homes as a result of the disaster, or if a homeowner has a damage claim~~  
11           ~~filed and pending against the insurer of the property. The assessor shall require the~~  
12           ~~homeowner to provide official documentation from the government agency or~~  
13           ~~program evidencing the homeowner's participation in the formal appeal process or~~  
14           ~~official documentation evidencing the homeowner has a damage claim filed and~~  
15           ~~pending against the insurer of the property.~~

16           ~~(c) After expiration of the extension authorized in Subparagraph (b) of this~~  
17           ~~Paragraph, an assessor shall have the authority to grant up to three additional one-~~  
18           ~~year extensions of the homestead exemption on a case-by-case basis. A homeowner~~  
19           ~~shall only be eligible for an additional extension if the owner has made a good faith~~  
20           ~~attempt to secure a contractor or builder to complete the needed repairs or~~  
21           ~~reconstruction of the home but is unable to complete the project due to~~  
22           ~~uncontrollable contractor or builder delays. In order to qualify for this extension, the~~  
23           ~~homeowner shall provide to the assessor documentation evidencing good faith in~~  
24           ~~attempting to secure a contractor or builder to complete the project.~~

25           ~~(2)(a) Any owner entitled to the special assessment level set forth in Article~~  
26           ~~VII, Section 18(G) of the Constitution of Louisiana who is unable to occupy the~~  
27           ~~homestead on or before December thirty-first of a future calendar year due to~~  
28           ~~damage or destruction of the homestead caused by a disaster or emergency declared~~  
29           ~~by the governor shall be entitled to keep the special assessment level of the~~

1        ~~homestead prior to its damage or destruction on the repaired or rebuilt homestead~~  
2        ~~provided the repaired or rebuilt homestead is occupied by the owner within five~~  
3        ~~years from December thirty-first of the year following the disaster. The assessed~~  
4        ~~value of the land and buildings on which the homestead was located prior to its~~  
5        ~~damage shall not be increased above its assessed value immediately prior to the~~  
6        ~~damage or destruction described in this Paragraph. If the property owner receives a~~  
7        ~~homestead exemption on another homestead during the same five-year period, the~~  
8        ~~damaged or destroyed property shall not be entitled to keep the special assessment~~  
9        ~~level, and the land and buildings shall be assessed in that year at the percentage of~~  
10       ~~fair market value set forth in the constitution. In addition, the owner must also~~  
11       ~~maintain the homestead exemption set forth in Article VII, Section 20(A)(10) of the~~  
12       ~~Constitution of Louisiana to qualify for the special assessment level set forth in~~  
13       ~~Article VII, Section 18(G)(5) of the Constitution of Louisiana.~~

14            (b) ~~Any owner entitled to the special assessment level as provided for in this~~  
15        ~~Paragraph who is unable to reoccupy his homestead within five years from~~  
16        ~~December thirty-first of the year following the disaster shall be eligible for an~~  
17        ~~extension of the special assessment level on the homestead for a period not to exceed~~  
18        ~~two years. A homeowner shall be eligible for this extension only if the homeowner's~~  
19        ~~damage claim is filed and pending in a formal appeal process with any federal, state,~~  
20        ~~or local government agency or program offering grants or assistance for repairing or~~  
21        ~~rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner~~  
22        ~~has a damage claim filed and pending against the insurer of the property. The~~  
23        ~~homeowner shall apply for this extension of the special assessment level with the~~  
24        ~~assessor of the parish in which the homestead is located. The assessor shall require~~  
25        ~~the homeowner to provide official documentation from the government agency or~~  
26        ~~program evidencing the homeowner's participation in the formal appeal process or~~  
27        ~~official documentation evidencing the homeowner has a damage claim filed and~~  
28        ~~pending against the insurer of the property.~~

1           ~~(c) After expiration of the extension authorized in Subparagraph (b) of this~~  
2           ~~Paragraph, an assessor shall have the authority to grant up to three additional one-~~  
3           ~~year extensions of the special assessment level on a case-by-case basis. A~~  
4           ~~homeowner shall only be eligible for an additional extension if the owner has made~~  
5           ~~a good faith attempt to secure a contractor or builder to complete the needed repairs~~  
6           ~~or reconstruction of the home but is unable to complete the project due to~~  
7           ~~uncontrollable contractor or builder delays. In order to qualify for this extension, the~~  
8           ~~homeowner shall provide to the assessor documentation evidencing good faith in~~  
9           ~~attempting to secure a contractor or builder to complete the project.~~

10           (1) Public lands and other public property used for public purposes. Land or  
11           property owned by another state or owned by a political subdivision of another state  
12           shall not be exempt under this Section.

13           (2)(a)(i) Property owned by a nonprofit corporation or association organized  
14           and operated exclusively for religious, dedicated places of burial, charitable, health,  
15           welfare, fraternal, or educational purposes, no part of the net earnings of which inure  
16           to the benefit of any private shareholder or member thereof and that is declared to  
17           be exempt from federal or state income tax.

18           (ii) Medical equipment leased for a term exceeding five years to a nonprofit  
19           corporation or association that owns or operates a small, rural hospital and that uses  
20           the equipment solely for healthcare purposes at the hospital, provided that the  
21           property shall be exempt only during the term of the lease to such corporation or  
22           association, and further provided that "small, rural hospital" shall mean a hospital  
23           that meets all of the following criteria:

24           (aa) It has less than fifty Medicare-licensed acute care beds.

25           (bb) It is located in a municipality with a population of less than ten  
26           thousand that has been classified as an area with a shortage of health workforce by  
27           the United States Department of Health and Human Services, or its successor.

28           (b) Property leased to a nonprofit corporation or association for use solely as  
29           housing for homeless persons, as defined by regulation adopted by the Louisiana Tax

1        Commission or its successor provided that the term of the lease shall be for at least  
2        five years, that as a condition of entering into the lease the property be in compliance  
3        with all applicable health and sanitation codes for use as housing for homeless  
4        persons, that the lease shall provide that compensation to be paid to the lessor shall  
5        not exceed one dollar per year, and that such contract of lease shall recite that the  
6        property shall be used exclusively for the purpose of housing the homeless, and  
7        further provided that at such time as the property is no longer used solely as housing  
8        for homeless persons, the property shall no longer be exempt from taxation.

9                (c) Property of a bona fide labor organization representing its members or  
10              affiliates in collective bargaining efforts.

11              (d) Property of an organization such as a lodge or club organized for  
12              charitable and fraternal purposes and practicing the same, and property of a nonprofit  
13              corporation devoted to promoting trade, travel, and commerce, and also property of  
14              a trade, business, industry or professional society or association, if that property is  
15              owned by a nonprofit corporation or association organized under the laws of this  
16              state for such purposes.

17              (e)(i) None of the property listed in this Paragraph shall be exempt if owned,  
18              operated, leased, or used for commercial purposes unrelated to the exempt purposes  
19              of the corporation or association.

20              (ii) None of the property listed in this Paragraph shall be exempt if the  
21              property is owned by a nonprofit corporation or association and the governing  
22              authority of the municipality or parish in which the property is located determines  
23              all of the following:

24              (aa) The property is leased as housing, is in a state of disrepair, and  
25              manifests conditions which endanger the health or safety of the public.

26              (bb) The owner of the property habitually neglects maintenance of the  
27              property as evidenced by three or more sustained code enforcement violations issued  
28              for the property in the prior twelve months for matters that endanger the health or  
29              safety of residents of the property or of persons in the area surrounding the property.

1 For purposes of this Subitem, matters deemed to endanger health or safety include  
2 structural instability due to deterioration; injurious or toxic ventilation; contaminated  
3 or inoperable water supply; holes, breaks, rotting materials, or mold in walls; roof  
4 defects that admit rain; unsecured overhang extensions in danger of collapse; a  
5 hazardous electrical system; improper connection of fuel-burning appliances or  
6 equipment; an inactive or inoperable fire detection system; an unsecured or  
7 contaminated swimming pool; or any combination of these.

8 (iii) An ad valorem tax exemption denied or revoked pursuant to the  
9 provisions of Item (ii) of this Subparagraph may be issued or reinstated if the  
10 governing authority of the municipality or parish in which the property is located  
11 determines that the conditions enumerated in his Subparagraph no longer exist.

12 (3) Cash on hand or deposit.

13 (4) Stocks and bonds, except bank stocks, the tax on which shall be paid by  
14 the banking institution.

15 (5) Obligations secured by mortgage on property located in Louisiana and  
16 the notes or other evidence thereof.

17 (6) Loans by life insurance companies to policyholders, if secured solely by  
18 their policies.

19 (7) The legal reserve of domestic life insurance companies.

20 (8) Loans by a homestead or building and loan association to its members,  
21 if secured solely by stock of the association.

22 (9) Debts due for merchandise or other articles of commerce or for services  
23 rendered.

24 (10) Obligations of the state or its political subdivisions.

25 (11) Personal property used in the home or on loan in a public place.

26 (12) Irrevocably dedicated places of burial held by individuals for purposes  
27 of burial of themselves or members of their families.

1           (13) Agricultural products while owned by the producer, agricultural  
2           machinery, and other implements used exclusively for agricultural purposes, animals  
3           on the farm, and property belonging to an agricultural fair association.

4           (14) Property used for cultural, Mardi Gras carnival, or civic activities and  
5           not operated for profit to the owners.

6           (15) Rights-of-way granted to the Department of Transportation and  
7           Development.

8           (16) Boats using gasoline as motor fuel.

9           (17) Commercial vessels used for gathering seafood for human consumption.

10          (18) Ships and oceangoing tugs, towboats, and barges engaged in  
11          international trade and domiciled in Louisiana ports. However, this exemption shall  
12          not apply to harbor, wharf, shed, and other port dues or to any vessel operated in the  
13          coastal trade of the states of the United States.

14          (19) Materials, boiler fuels, and energy sources used by public utilities to  
15          fuel the generation of electricity.

16          (20) All incorporeal movables of any kind or nature whatsoever, except  
17          public service properties, bank stocks, and credit assessments on premiums written  
18          in Louisiana by insurance companies and loan and finance companies. For purposes  
19          of this Section, incorporeal movables shall have the meaning set forth in the  
20          Louisiana Civil Code of 1870, as amended.

21          (21) All artwork including sculptures, glass works, paintings, drawings,  
22          signed and numbered posters, photographs, mixed media, collages, or any other item  
23          which would be considered as the material result of a creative endeavor which is  
24          listed as a consignment article by an art dealer.

25          (22)(a) Raw materials, goods, commodities, and articles imported into this  
26          state from outside the states of the United States provided that one of the following  
27          conditions is met:

28                 (i) The imports remain on the public property of the port authority or docks  
29                 of the common carrier where they first entered this state.

1           (ii) The imports, other than minerals and ores of the same kind as any mined  
2           or produced in this state and manufactured articles, are held in this state in the  
3           original form in bales, sacks, barrels, boxes, cartons, containers, or other original  
4           packages, and raw materials held in bulk as all or a part of the new material  
5           inventory of manufacturers or processors, solely for manufacturing or processing.

6           (iii) The imports are held by an importer in any public or private storage in  
7           the original form in bales, sacks, barrels, boxes, cartons, containers, or other original  
8           packages and agricultural products in bulk. This exemption shall not apply to these  
9           imports when held by a retail merchant as part of his stock-in-trade for sale at retail.

10           (b) Raw materials, goods, commodities, and other articles being held on the  
11           public property of a port authority, on docks of any common carrier, or in a  
12           warehouse, grain elevator, dock, wharf, or public storage facility in this state for  
13           export to a point outside the states of the United States.

14           (c) Goods, commodities, and personal property in public or private storage  
15           while in transit through this state which are moving in interstate commerce through  
16           or over the territory of the state or which are in public or private storage within  
17           Louisiana, having been shipped from outside Louisiana for storage in transit to a  
18           final destination outside Louisiana, whether such destination was specified when  
19           transportation began or afterward.

20           (d) Property described in this Paragraph, whether or not entitled to  
21           exemption, shall be reported to the proper taxing authority on the forms required by  
22           law.

23           (23) Motor vehicles used on the public highways of this state, from state,  
24           parish, municipal, and special ad valorem taxes.

25           (24)(a) Notwithstanding any contrary provision of this Section, the State  
26           Board of Commerce and Industry or its successor, with the approval of the governor,  
27           may enter into contracts for the exemption from ad valorem taxes of a new  
28           manufacturing establishment or an addition to an existing manufacturing

1 establishment, on terms and conditions the board, with the approval of the governor,  
2 deems in the best interest of the state.

3 (b) The exemption shall be for an initial term of no more than five calendar  
4 years and may be renewed for an additional five years. All property exempted shall  
5 be listed on the assessment rolls and submitted to the Louisiana Tax Commission or  
6 its successor, but no taxes shall be collected on the exempted property during the  
7 period of exemption.

8 (c) The terms "manufacturing establishment" and "addition" as used in this  
9 Paragraph means a new plant or establishment or an addition or additions to any  
10 existing plant or establishment which engages in the business of working raw  
11 materials into wares suitable for use or which gives new shapes, qualities, or  
12 combinations to matter which already has gone through some artificial process.

13 (25) Coal or lignite stockpiled in Louisiana for use in Louisiana for industrial  
14 or manufacturing purposes or for boiler fuel, gasification, feedstock, or process  
15 purposes.

16 (26) Notwithstanding any contrary provision of this Section, the State Board  
17 of Commerce and Industry or its successor, with the approval of the governor and  
18 the local governing authority, may enter into contracts granting to a property owner,  
19 who proposes the expansion, restoration, improvement, or development of an  
20 existing structure or structures in a downtown, historic, or economic development  
21 district established by a local governing authority or in accordance with law, the right  
22 for an initial term of five years after completion of the work to pay ad valorem taxes  
23 based upon the assessed valuation of the property for the year prior to the  
24 commencement of the expansion, restoration, improvement, or development.  
25 Contracts may be renewed, subject to the same conditions, for an additional five  
26 years extending such right for a total of ten years from completion of the work.

27 (27)(a) Notwithstanding any contrary provision of this Section, the authority  
28 or district charged with economic development of each parish may enter into  
29 contracts for the exemption from parish, municipal, and special ad valorem taxes of

1 goods held in inventory by distribution centers. In the absence of the existence of an  
2 economic development authority or district, the parish governing authority may grant  
3 contracts of exemption as are provided for in this Paragraph.

4 (b) The contract for exemption shall be on the terms and to the extent, up to  
5 and including the full assessed valuation of the goods held in inventory, as the  
6 economic development authority or district deems in the best interest of the parish.  
7 However, prior to entering into each individual contract, the economic development  
8 authority or district must request and receive written approval of the contract,  
9 including its terms and an estimated fiscal impact, from each affected tax recipient  
10 body in the parish, as evidenced by a favorable vote of a majority of the members of  
11 the governing authority of the tax recipient body. Failure to receive all required  
12 approvals from the tax recipient bodies before entering into a contract shall render  
13 the contract absolutely null and void.

14 (c) The term "distribution center" as used in this Paragraph means an  
15 establishment engaged in the sale of products for resale or further processing for  
16 resale. The term "goods held in inventory" as used in this Paragraph means goods or  
17 products which have been given new shapes, qualities, or combinations through  
18 some artificial process and does not include raw materials such as natural gas, crude  
19 oil, sulphur, or timber or goods or products held for sale to consumers.

20 (28)(a) Drilling rigs used exclusively for the exploration and development  
21 of minerals outside the territorial limits of the state in Outer Continental Shelf waters  
22 which are within the state for the purpose of being stored or stacked for use outside  
23 the territorial limits of the state, or for the purpose of being converted, renovated, or  
24 repaired, and any property in the state for the purpose of being incorporated in, or to  
25 be used in the operation of the drilling rigs.

26 (b) The exemption provided in this Paragraph shall be applicable in any  
27 parish in which the exemption has been approved by a majority of the electors of the  
28 parish voting thereon at an election called for that purpose.

1           (29)(a)(i) In addition to the homestead exemption, provided pursuant to  
2           Article VII, Section 34 of the Constitution of Louisiana, which applies to the first  
3           seven thousand five hundred dollars of the assessed valuation of property, the next  
4           two thousand five hundred dollars of the assessed valuation of property receiving the  
5           homestead exemption that is owned and occupied by a veteran with a  
6           service-connected disability rating of fifty percent or more but less than seventy  
7           percent by the United States Department of Veterans Affairs shall be exempt from  
8           ad valorem taxation. The surviving spouse of a deceased veteran with a  
9           service-connected disability rating of fifty percent or more but less than seventy  
10           percent by the United States Department of Veterans Affairs shall be eligible for this  
11           exemption if the surviving spouse occupies and remains the owner of the property,  
12           whether or not the exemption was in effect on the property prior to the death of the  
13           veteran. If property eligible for the exemption provided for in this Item has an  
14           assessed value in excess of ten thousand dollars, ad valorem property taxes shall  
15           apply to the assessment in excess of ten thousand dollars.

16           (ii) In addition to the homestead exemption, provided pursuant to Article  
17           VII, Section 34 of the Constitution of Louisiana, which applies to the first seven  
18           thousand five hundred dollars of the assessed valuation of property, the next four  
19           thousand five hundred dollars of the assessed valuation of property owned and  
20           occupied by a veteran with a service-connected disability rating of seventy percent  
21           or more but less than one hundred percent by the United States Department of  
22           Veterans Affairs shall be exempt from ad valorem taxation. The surviving spouse of  
23           a deceased veteran with a service-connected disability rating of seventy percent or  
24           more but less than one hundred percent by the United States Department of Veterans  
25           Affairs shall be eligible for this exemption if the surviving spouse occupies and  
26           remains the owner of the property, whether or not the exemption was in effect on the  
27           property prior to the death of the veteran. If property eligible for the exemption  
28           provided for in this Item has an assessed value in excess of twelve thousand dollars,

1 ad valorem property taxes shall apply to the assessment in excess of twelve thousand  
2 dollars.

3 (iii) In addition to the homestead exemption, provided pursuant to Article  
4 VII, Section 34 of the Constitution of Louisiana, which applies to the first seven  
5 thousand five hundred dollars of the assessed valuation of property, the remaining  
6 assessed valuation of property receiving the homestead exemption that is owned and  
7 occupied by a veteran with a service-connected disability rating of one hundred  
8 percent unemployability or totally disabled by the United States Department of  
9 Veterans Affairs shall be exempt from ad valorem taxation. The surviving spouse of  
10 a deceased veteran with a service-connected disability rating of one hundred percent  
11 unemployability or totally disabled by the United States Department of Veterans  
12 Affairs shall be eligible for this exemption if the surviving spouse occupies and  
13 remains the owner of the property, whether or not the exemption was in effect on the  
14 property prior to the death of the veteran.

15 (b) Notwithstanding any provision of the law to the contrary, the property  
16 assessment of a property for which an exemption established pursuant to this  
17 Paragraph has been claimed, to the extent of the applicable exemption, shall not be  
18 treated as taxable property for purposes of any subsequent reappraisals and valuation  
19 for millage adjustment purposes. The decrease in the total amount of ad valorem tax  
20 collected by a taxing authority as a result of the exemption shall be absorbed by the  
21 taxing authority and shall not create any additional tax liability for other taxpayers  
22 in the taxing district as a result of any subsequent reappraisal and valuation or  
23 millage adjustment. Implementation of the exemption authorized in this Paragraph  
24 shall neither trigger nor be cause for a reappraisal of property or an adjustment of  
25 millages.

26 (c) A trust shall be eligible for the exemption provided for in this Paragraph.

27 (30)(a) Except as otherwise provided herein, property owned or leased by,  
28 and used by, a targeted nonmanufacturing business in the operation of its facility,  
29 including buildings, improvements, equipment, and other property necessary or

1 beneficial to such operation, according to a program and pursuant to contracts of  
2 exemption which contain such terms and conditions. Land underlying the facility and  
3 other property pertaining to the facility on which ad valorem taxes have previously  
4 been paid, inventories, consumables, and property eligible for the manufacturing  
5 exemption provided by Paragraph (24) of this Subsection, shall not be exempt  
6 pursuant to this Paragraph.

7 (b) Ad valorem taxes shall apply to the assessed valuation of the first ten  
8 million dollars or ten percent of fair market value, whichever is greater, and this  
9 amount of property shall not be exempt pursuant to this Paragraph.

10 (c) A targeted nonmanufacturing business means at least fifty percent of such  
11 business's total annual sales from a site or sites in the state is to out-of-state  
12 customers or buyers, or to in-state customers or buyers but the product or service is  
13 resold by the purchaser to an out-of-state customer or buyer for ultimate use, or to  
14 the federal government, or any combination thereof.

15 (d) A contract for the exemption shall be available only in parishes which  
16 have agreed to participate.

17 (31)(a) There is hereby established an exemption from ad valorem tax for the  
18 total assessed value of the homestead of the unmarried surviving spouse of a person  
19 who died under the conditions enumerated in Item (b)(i) of this Paragraph, and if the  
20 conditions established in Item (b)(ii) of this Paragraph are met.

21 (b)(i) The exemption shall apply beginning in the tax year in which any of  
22 the following persons died:

23 (aa) A member of the armed forces of the United States or Louisiana  
24 National Guard who died while on active duty.

25 (bb) A state police officer who died while on duty.

26 (cc) A law enforcement or fire protection officer who qualified for the salary  
27 supplement authorized in Article VII, Section 14(D)(3) of the Constitution of  
28 Louisiana who died while on duty or who would have qualified if he had completed  
29 the first year of his employment before his death.

1            (dd) An emergency medical responder, technician, or paramedic, as such  
2            terms may be defined by law, who died while performing the duties of their  
3            employment.

4            (ee) A volunteer firefighter, verified by the office of the state fire marshal  
5            to have died while performing firefighting duties.

6            (ii)(aa) The property is eligible for the homestead exemption and the  
7            property was the residence of a person listed within Item (i) of this Subparagraph at  
8            the time of that person's death.

9            (bb) The surviving spouse has not remarried.

10           (cc) The surviving spouse annually provides evidence of their eligibility for  
11           the exemption in accordance with the requirements of Subparagraph (c) of this  
12           Paragraph.

13           (c) Each assessor shall establish a procedure whereby a person may annually  
14           apply for the exemption. Eligibility for the exemption shall be established by the  
15           production of documents and certification of information by the surviving spouse to  
16           the assessor as follows:

17           (i) In an initial application for the exemption, the surviving spouse shall  
18           produce documentation issued by their deceased spouse's employer evidencing the  
19           death.

20           (ii) For purposes of the continuation of an existing exemption, the surviving  
21           spouse shall annually provide a sworn statement to the assessor attesting to the fact  
22           that the surviving spouse has not remarried.

23           (d) Once an unmarried surviving spouse has qualified for and taken the  
24           exemption, if the surviving spouse then acquires a different property which qualifies  
25           for the homestead exemption, the surviving spouse shall be entitled to an exemption  
26           on that subsequent homestead, the exemption being limited in value to the amount  
27           of the exemption claimed on the prior homestead in the last year for which the  
28           exemption was claimed. The assessor may require the submission of certain  
29           information concerning the amount of the exemption on the prior homestead for

1 purposes of determining the extent of the exemption available for the subsequent  
2 homestead.

3 (e) A trust shall be eligible for the exemption provided for in this Paragraph.

4 (32)(a) All property delivered to a construction project site for the purpose  
5 of incorporating the property into any tract of land, building, or other construction  
6 as a component part, including the type of property that may be deemed to be a  
7 component part once placed on an immovable for its service and improvement  
8 pursuant to the provisions of the Louisiana Civil Code of 1870. The exemption  
9 provided for in this Paragraph shall be applicable until the construction project for  
10 which the property has been delivered is complete. A construction project shall be  
11 deemed complete when construction is finished to the extent that the project can be  
12 used or occupied for its intended purpose. A construction project shall not be deemed  
13 complete during its inspection, testing, or commissioning stages, as defined by  
14 reasonable industry standards.

15 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,  
16 this exemption shall not apply to any of the following:

17 (i) Any portion of a construction project that is complete, available for its  
18 intended use, or operational on the date that property is assessed.

19 (ii) For projects constructed in two or more distinct phases, any phase of the  
20 construction project that is complete, available for its intended use, or operational on  
21 the date the property is assessed.

22 (iii) Any public service property, unless the public service property is  
23 otherwise eligible for an exemption provided by any other provision of law.

24 (33)(a) In addition to the homestead exemption provided pursuant to Article  
25 VII, Section 34 of the Constitution of Louisiana, which applies to the first seven  
26 thousand five hundred dollars of the assessed valuation of property, a parish  
27 governing authority may approve an ad valorem tax exemption of up to two thousand  
28 five hundred dollars of the assessed valuation of property receiving the homestead  
29 exemption that is owned and occupied by a qualified first responder.

1           (b) For the purposes of this Paragraph, "first responder" means a volunteer  
2           firefighter who has completed within the tax year no fewer than twenty-four hours  
3           of firefighter continuing education and is an active member of the Louisiana State  
4           Firemen's Association or is on the departmental personnel roster of the Volunteer  
5           Firefighter Insurance Program of the office of state fire marshal. For the purposes of  
6           this Paragraph, "first responder" means a full-time public employee whose duties  
7           include responding rapidly to an emergency and who resides in the same parish in  
8           which their employer is located. The term includes the following:

9           (i) Peace officer, which means any sheriff, police officer, or other person  
10          deputized by proper authority to serve as a peace officer.

11          (ii) Fire protection personnel.

12          (iii) An individual certified as emergency medical services personnel.

13          (iv) An emergency response operator or emergency services dispatcher who  
14          provides communication support services for an agency by responding to requests  
15          for assistance in emergencies.

16          (c) The exemption provided for in this Paragraph shall only apply in a parish  
17          if it is approved by the parish governing authority.

18          (d) Each tax assessor shall establish a procedure whereby a person may  
19          annually apply for the exemption which shall include the production of documents  
20          by the first responder. In the application for the exemption, the first responder shall  
21          produce documentation issued by his employer evidencing employment for the  
22          taxable period for which the exemption is being requested.

23          (e) Notwithstanding any provision of the law to the contrary, any decrease  
24          in the total amount of ad valorem tax collected by the taxing authority as a result of  
25          an ad valorem tax exemption granted pursuant to this Paragraph shall be absorbed  
26          by the taxing authority and shall not create any additional tax liability for other  
27          taxpayers in the taxing district as a result of any subsequent reappraisal and valuation  
28          or millage adjustment. Implementation of the exemption authorized in this Paragraph

1 shall neither trigger nor be cause for a reappraisal of property or an adjustment of  
2 millages.

3 B.(1) There shall be an optional ad valorem tax exemption on items  
4 constituting business inventory, including goods which are held for sale and goods  
5 in production or for ultimate consumption in the production of goods or services for  
6 sale.

7 (2) The exemption provided for in this Subsection shall only apply in  
8 parishes in which the sheriff, school board, and the parish governing authority elect  
9 to exempt business inventory from ad valorem taxation.

10 (3) The exemption election shall be evidenced in writing and shall indicate  
11 if the parish will implement the full exemption immediately or over a period not to  
12 exceed five years. The election shall be made no later than July 1, 2026, and shall be  
13 applicable to taxable periods beginning on or after January 1, 2026. Any election  
14 made pursuant to this Subsection shall be irrevocable.

15 (4)(a) A parish electing to exempt items constituting business inventory shall  
16 receive a payment in accordance with Article VII, Section 37 of the Constitution of  
17 Louisiana and R.S. 39:100.112. The tax collector of each parish electing to exempt  
18 items constituting business inventory shall distribute the monies received from the  
19 treasurer on a pro rata basis to each taxing authority that levies an ad valorem tax  
20 within the parish. The treasurer shall disburse monies to the collector within thirty  
21 days of receipt of a certification from the secretary of the Department of Revenue  
22 that the parish has irrevocably elected to exempt business inventory from ad valorem  
23 tax.

24 (b) Any parish that elects to exempt one hundred percent of business  
25 inventory from ad valorem tax and implements the exemption immediately shall  
26 receive a payment equal to the greater of thrice the amount of ad valorem taxes  
27 collected on business inventory within the parish for the 2023 tax year as calculated  
28 in the chart provided for in Subparagraph (d) of this Paragraph or one million dollars.

1 However, the maximum amount a parish may receive pursuant to the provisions of  
 2 this Subparagraph shall not exceed fifteen million dollars.

3 (c) Any parish that elects to phase-in an exemption of business inventory  
 4 from ad valorem tax over a period not to exceed five years shall receive a payment  
 5 equal to the greater of the amount of ad valorem taxes collected on business  
 6 inventory within the parish for the 2023 tax year as calculated in the chart provided  
 7 for in Subparagraph (d) of this Paragraph or five hundred thousand dollars. However,  
 8 the maximum amount a parish may receive pursuant to the provisions of this  
 9 Subparagraph shall not exceed ten million dollars.

10 (d) Payments to parishes electing to exempt items constituting business  
 11 inventory shall be as follows:

<u>Parish</u>	<u>Payment amount if property is immediately exempt from ad valorem tax</u>	<u>Payment amount if property is exempt from ad valorem tax through a phase-in</u>
<u>ACADIA</u>	<u>\$8,064,687</u>	<u>\$2,688,229</u>
<u>ALLEN</u>	<u>\$4,649,178</u>	<u>\$1,549,726</u>
<u>ASCENSION</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
<u>ASSUMPTION</u>	<u>\$12,643,215</u>	<u>\$4,214,405</u>
<u>AVOUELLES</u>	<u>\$3,311,623</u>	<u>\$1,103,874</u>
<u>BEAUREGARD</u>	<u>\$10,698,616</u>	<u>\$3,566,205</u>
<u>BIENVILLE</u>	<u>\$15,000,000</u>	<u>\$9,803,655</u>
<u>BOSSIER</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
<u>CADDO</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
<u>CALCASIEU</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
<u>CALDWELL</u>	<u>\$1,000,000</u>	<u>\$500,000</u>
<u>CAMERON</u>	<u>\$11,841,732</u>	<u>\$3,947,244</u>
<u>CATAHOULA</u>	<u>\$1,000,000</u>	<u>\$500,000</u>
<u>CLAIBORNE</u>	<u>\$1,000,000</u>	<u>\$500,000</u>
<u>CONCORDIA</u>	<u>\$2,591,401</u>	<u>\$863,800</u>
<u>DESOTO</u>	<u>\$4,506,854</u>	<u>\$1,502,285</u>
<u>EAST BATON ROUGE</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>

1	<u>EAST CARROLL</u>	<u>\$2,942,280</u>	<u>\$980,760</u>
2	<u>EAST FELICIANA</u>	<u>\$2,361,471</u>	<u>\$787,157</u>
3	<u>EVANGELINE</u>	<u>\$9,014,235</u>	<u>\$3,004,745</u>
4	<u>FRANKLIN</u>	<u>\$4,100,553</u>	<u>\$1,366,851</u>
5	<u>GRANT</u>	<u>\$2,996,249</u>	<u>\$998,750</u>
6	<u>IBERIA</u>	<u>\$15,000,000</u>	<u>\$5,485,411</u>
7	<u>IBERVILLE</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
8	<u>JACKSON</u>	<u>\$2,334,131</u>	<u>\$778,044</u>
9	<u>JEFFERSON</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
10	<u>JEFFERSON DAVIS</u>	<u>\$5,318,676</u>	<u>\$1,772,892</u>
11	<u>LAFAYETTE</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
12	<u>LAFOURCHE</u>	<u>\$15,000,000</u>	<u>\$6,119,490</u>
13	<u>LASALLE</u>	<u>\$3,686,862</u>	<u>\$1,228,954</u>
14	<u>LINCOLN</u>	<u>\$8,279,452</u>	<u>\$2,759,817</u>
15	<u>LIVINGSTON</u>	<u>\$13,489,157</u>	<u>\$4,496,386</u>
16	<u>MADISON</u>	<u>\$3,868,362</u>	<u>\$1,289,454</u>
17	<u>MOREHOUSE</u>	<u>\$4,726,058</u>	<u>\$1,575,353</u>
18	<u>NATCHITOCHE</u>	<u>\$6,077,027</u>	<u>\$2,025,676</u>
19	<u>ORLEANS</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
20	<u>OUACHITA</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
21	<u>PLAQUEMINES</u>	<u>\$15,000,000</u>	<u>\$8,442,726</u>
22	<u>POINTE COUPEE</u>	<u>\$3,399,273</u>	<u>\$1,133,091</u>
23	<u>RAPIDES</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
24	<u>RED RIVER</u>	<u>\$1,421,703</u>	<u>\$500,000</u>
25	<u>RICHLAND</u>	<u>\$5,095,444</u>	<u>\$1,698,481</u>
26	<u>SABINE</u>	<u>\$2,046,475</u>	<u>\$682,158</u>
27	<u>ST BERNARD</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
28	<u>ST CHARLES</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
29	<u>ST HELENA</u>	<u>\$1,000,000</u>	<u>\$500,000</u>
30	<u>ST JAMES</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
31	<u>ST JOHN THE BAPTIST</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
32	<u>ST LANDRY</u>	<u>\$15,000,000</u>	<u>\$8,013,535</u>
33	<u>ST MARTIN</u>	<u>\$15,000,000</u>	<u>\$6,128,714</u>
34	<u>ST MARY</u>	<u>\$15,000,000</u>	<u>\$7,325,494</u>
35	<u>ST TAMMANY</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>

1	<u>TANGIPAHOA</u>	<u>\$15,000,000</u>	<u>\$7,294,402</u>
2	<u>TENSAS</u>	<u>\$1,000,000</u>	<u>\$500,000</u>
3	<u>TERREBONNE</u>	<u>\$15,000,000</u>	<u>\$8,835,679</u>
4	<u>UNION</u>	<u>\$1,428,985</u>	<u>\$500,000</u>
5	<u>VERMILION</u>	<u>\$4,236,873</u>	<u>\$1,412,291</u>
6	<u>VERNON</u>	<u>\$3,585,481</u>	<u>\$1,195,160</u>
7	<u>WASHINGTON</u>	<u>\$4,904,267</u>	<u>\$1,634,756</u>
8	<u>WEBSTER</u>	<u>\$9,632,542</u>	<u>\$3,210,847</u>
9	<u>WEST BATON ROUGE</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>
10	<u>WEST CARROLL</u>	<u>\$1,277,144</u>	<u>\$500,000</u>
11	<u>WEST FELICIANA</u>	<u>\$1,800,699</u>	<u>\$600,233</u>
12	<u>WINN</u>	<u>\$1,964,567</u>	<u>\$654,856</u>

13                   (5) A parish may elect to exempt ad valorem tax on items constituting  
 14                   business inventory at any time, in accordance with the provisions of this Subsection.  
 15                   However, any parish electing to exempt business inventory from ad valorem tax on  
 16                   or after July 2, 2026, shall not receive a payment in accordance with Article VII  
 17                   Section 37 of the Constitution of Louisiana and R.S. 39:100.112.

18                   (6) Property for which the exemption authorized in this Subsection has been  
 19                   claimed shall not be treated as taxable property for purposes of any subsequent  
 20                   reappraisals and valuation for millage adjustment purposes pursuant to R.S. 47:1719.  
 21                   Any decrease in the total amount of ad valorem tax collected by a taxing authority  
 22                   as a result of the ad valorem exemption authorized in this Subsection shall be  
 23                   absorbed by the taxing authority and shall not create any additional tax liability for  
 24                   taxpayers in the taxing district as a result of any subsequent reappraisal and valuation  
 25                   or millage adjustment. Implementation of the exemption authorized in this  
 26                   Subsection shall neither trigger nor be cause for a reappraisal of property or an  
 27                   adjustment of millages pursuant to R.S. 47:1719.

28                   §1703.1. Permanent registration of homestead exemption; designated parishes  
 29                   A. The tax assessor for the parishes of Acadia, Allen, Ascension,  
 30                   Assumption, Avoyelles, Beauregard, Bienville, Caddo, Calcasieu, Caldwell,  
 31                   Cameron, Catahoula, Claiborne, Concordia, DeSoto, East Baton Rouge, East Carroll,

1 East Feliciana, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Jefferson,  
 2 Jefferson Davis, Lafayette, Lafourche, LaSalle, Lincoln, Livingston, Morehouse,  
 3 Natchitoches, Orleans, Ouachita, Pointe Coupee, Rapides, Red River, Richland,  
 4 Sabine, St. Bernard, St. Helena, St. James, St. John the Baptist, St. Landry, St.  
 5 Martin, St. Mary, St. Tammany, Tangipahoa, Tensas, Terrebonne, Union, Vermilion,  
 6 Vernon, Washington, Webster, West Baton Rouge, West Carroll, West Feliciana,  
 7 and Winn shall provide a form to property owners within the parish for permanent  
 8 registration for the benefits of the homestead exemption ~~provided for in R.S. 47:1703~~  
 9 provided pursuant to Article VII, Section 34 of the Constitution of Louisiana.

\* \* \*

11 §1705. Information supplied to assessor and legislative auditor by tax recipient  
 12 agencies; additional notices

\* \* \*

14 B.(1)(a) For any taxing authority with a governing authority membership  
 15 which is elected by the voters, increases in the millage rate in excess of the rates  
 16 established as provided by ~~Article VII, Section 23(B) of the Constitution of~~  
 17 ~~Louisiana~~ R.S. 47:1719, but not in excess of the prior year's maximum authorized  
 18 millage rate may be levied by two-thirds vote of the total membership of a taxing  
 19 authority without further voter approval but only after a public hearing held in  
 20 accordance with the open meetings law.

21 (b)(i) Any taxing authority with a governing authority membership which  
 22 is not elected by the voters may increase a millage rate in excess of the rates  
 23 established as provided in ~~Article VII, Section 23(B) of the Constitution of Louisiana~~  
 24 R.S. 47:1719, but not in excess of the prior year's maximum authorized millage rate.  
 25 ~~Such~~ The increased millage shall also be limited to an amount which would increase  
 26 the ad valorem taxes collected by the taxing authority by no more than two and  
 27 one-half percent of the collections for the calendar year immediately preceding the  
 28 year for which the increased millage rate is effective.

\* \* \*

1 (2) In order to accomplish this result, the following shall be mandatory:

2 (a) Each tax recipient body shall adopt an ordinance or resolution which  
3 shall set forth and designate the adjusted millage rate as required by ~~Article VII,~~  
4 ~~Section 23(B) of the Constitution of Louisiana~~ R.S. 47:1719.

5 (b) Each tax recipient body shall adopt another separate ordinance or  
6 resolution which shall provide for ~~such~~ the millage rate increases by two-thirds vote  
7 and shall set forth and designate not only the increased millage rate but also the  
8 adjusted millage rate as required in Subparagraph (a) ~~above~~ of this Paragraph and by  
9 ~~Article VII, Section 23(B) of the Constitution of Louisiana~~ R.S. 47:1719.

10 (c)(i) In addition to any notice requirements provided for in ~~Article VII,~~  
11 ~~Section 23(C) of the Constitution of Louisiana~~ R.S. 47:1719 and this Section, any tax  
12 recipient body which proposes to hold a public hearing in any tax year for the  
13 purpose of levying additional or increased millages on property without further voter  
14 approval shall publish, by the date provided for in Item (ii) of this Subparagraph,  
15 public notice of the date, time, and place of the hearing. The notice shall contain a  
16 statement that the tax recipient body intends to consider at the hearing levying  
17 additional or increased millage rates without further voter approval. It shall also  
18 contain the following information relating to the proposal for the increased millage  
19 sought ~~under~~ pursuant to the provisions of Paragraph (1) of this Subsection.

20 \* \* \*

21 (ii)~~(aa)~~ The notice shall be published on two separate days, occurring no less  
22 than thirty days before the hearing date, in the official journal of the taxing authority,  
23 and in another newspaper with a larger circulation within the taxing authority than  
24 the official journal of the taxing authority, if there is one. On the first day of  
25 publication, the notice shall also be posted on the Internet website of the taxing  
26 authority, if such taxing authority maintains an Internet website. The Internet  
27 posting shall remain active until such time as the taxing authority has taken action  
28 to approve or disapprove, or has abandoned action on, the proposed millage increase.

29 \* \* \*

1 (d) In addition to the requirements for publication provided for in ~~this~~  
2 Subparagraph (c) of this Paragraph, the tax recipient body shall issue a press release  
3 to newspapers with substantial distribution within the parish of the tax recipient's  
4 jurisdiction and to area broadcast media.

5 \* \* \*

6 D. In order to carry out the mandate of ~~Article VII, Section 23(B) of the~~  
7 ~~Constitution of Louisiana~~ R.S. 47:1719, the legislative auditor is hereby authorized  
8 and required to review the millages levied by each tax recipient body in each year  
9 that reassessment occurs to determine whether the millages levied are in compliance  
10 with the provisions of this Section and the ~~constitution~~ Constitution of Louisiana.  
11 The legislative auditor is also authorized and required to review the millages levied  
12 by each tax recipient body in each year in which an increase in millage is made by  
13 a two-thirds vote of the total membership of the taxing authority under the provisions  
14 of ~~Article VII, Section 23(C) of the Constitution of Louisiana~~ R.S. 47:1719, to  
15 determine whether the millage levied is in compliance with the provisions of this  
16 Section ~~and the Constitution~~. The auditor shall order changes in the amount of  
17 millage levied if the auditor determines thereafter that a mathematical error or  
18 mathematical errors have been made in the calculation of the adjustment of millages  
19 as required by ~~this Section and the Constitution of Louisiana~~ R.S. 47:1719.

20 \* \* \*

21 §1707. Exemptions, agricultural machinery and implements, farm structures, and  
22 timber logging equipment; definition

23 For the purpose of applying the exemption from ad valorem taxation  
24 provided in ~~Section 21 of Article VII of the Constitution of Louisiana~~ R.S.  
25 47:1703(A)(13), the term "agricultural machinery and other implements used  
26 exclusively for agricultural purposes" shall mean agricultural and horticultural  
27 implements immediately and directly employed in cultivation, production, and  
28 harvest of crops or in the raising and management of livestock in use upon  
29 agricultural lands. The term also shall include machinery for soil preparation and

1 cultivation, agricultural drills and planters, fertilizer spreaders, crop-dusting  
 2 airplanes, harvesting and threshing machinery, hay or grass mowers except lawn  
 3 mowers, farm wagons and carts, milking machines, farm structures, except a  
 4 building used for a principal residence, on-farm equipment for the handling or drying  
 5 of agricultural or horticultural products, and parts of any of the foregoing, all  
 6 equipment utilized in the logging of timber whether used by the owner or lessor of  
 7 the agricultural land or on a contractual service basis by someone other than the  
 8 owner or lessor but shall exclude, except as otherwise provided herein, bulldozers,  
 9 earth moving, and land-clearing equipment utilized in such agricultural activities on  
 10 a contractual service basis by someone other than the owner or lessor of the  
 11 agricultural lands involved.

12 §1707.1. Agricultural byproducts

13 For the ~~purpose~~ purposes of ~~Section 21(C)(11) of Article VII of the~~  
 14 ~~Constitution of Louisiana~~ the exemptions provided for in R.S. 47:1703(A)(13), the  
 15 phrase "agricultural products while owned by the producer" shall include standing  
 16 timber and the right to cut and use standing timber, whether held by the owner of the  
 17 land or any other person.

18 §1708. Exemption for property leased to nonprofit organizations for the purpose of  
 19 housing the homeless

20 For the purpose of applying the exemption from ad valorem taxation  
 21 provided in ~~Article VII, Section (21)(B)(1)(b) of the Constitution of Louisiana~~ R.S.  
 22 47:1703(A)(2)(b), "term of the lease" shall mean the total length of the lease,  
 23 including renewals at the option of lessees, that the lessor obligates property to a  
 24 nonprofit corporation or association for use solely as housing for the homeless.

25 \* \* \*

26 §1710. Homestead exemption; residential lessees; tax credits

27 A. ~~The purpose of this Section is to partially implement the provisions of~~  
 28 ~~Article VII, Section 20(B) of the Constitution of Louisiana relative to the providing~~

1 of tax relief to residential lessees in order to provide equitable tax relief similar to  
2 that granted to homeowners through homestead exemptions.

3 B. For purposes ~~herein~~ of the homestead exemption provided for in the  
4 constitution, a residential lessee is defined as a person who owns and occupies a  
5 residence, including mobile homes, but does not own the land upon which the  
6 residence is situated.

7 ~~C.~~ B. A residential lessee shall be entitled to a credit against any ad valorem  
8 tax imposed relative to the residence property, in an amount equal to the amount of  
9 tax applicable on property with an assessed valuation of seven thousand five hundred  
10 dollars or the actual amount of tax, whichever is less, provided the residential lessee  
11 is not otherwise entitled to the homestead exemption.

12 \* \* \*

13 §1712. Application procedure; special assessment level

14 Any person who qualifies for the special assessment level set forth in ~~Article~~  
15 ~~VII, Section 18(G) of the Constitution of Louisiana~~ R.S. 47:1717 shall apply for the  
16 special assessment by completing an application form certifying his qualifications  
17 for the special assessment. ~~Such~~ The application may be submitted in person or by  
18 first class mail. The application form shall be designed by the ~~tax commission~~  
19 Louisiana Tax Commission and shall be provided to every assessor in this state. The  
20 assessor shall not keep a copy of the applicant's federal or state income tax return or  
21 picture identification of the applicant for his records.

22 §1713. Special assessment level for certain trusts

23 \* \* \*

24 B.(1) If a trust would have been eligible for the special assessment level  
25 pursuant to this Section prior to the most recent reappraisal, the total assessment of  
26 the property held in trust shall be the assessed value on the last appraisal before the  
27 reappraisal.

28 (2) If a trust has remitted a payment at the higher assessment level and is  
29 later determined to be eligible for the special assessment level pursuant to this





1 administrative agency charged with the responsibility for making determinations  
2 regarding disability.

3 (b) Any person or persons shall be prohibited from receiving the special  
4 assessment as provided in this Section if the person's or persons' adjusted gross  
5 income, as reported in the federal tax return for the year prior to the application for  
6 the special assessment, exceeds one hundred thousand dollars. For persons applying  
7 for the special assessment whose filing status is married filing separately, the  
8 adjusted gross income for purposes of this Section shall be determined by combining  
9 the adjusted gross income on both federal tax returns. The one hundred thousand  
10 dollar limit shall be adjusted annually by the Consumer Price Index produced by the  
11 United States Department of Labor, Bureau of Labor Statistics.

12 (c) An eligible owner or the owner's spouse or other legally qualified  
13 representative shall apply for the special assessment level by filing a signed  
14 application establishing that the owner qualifies for the special assessment level with  
15 the assessor of the parish or, in the parish of Orleans, the assessor of the district  
16 where the property is located.

17 (d) An owner who is below the age of sixty-five and who has applied for  
18 and received the special assessment level may qualify for and receive the special  
19 assessment level in the subsequent year by certifying to the assessor of the parish  
20 that the person's adjusted gross income in the prior tax year satisfied the income  
21 requirement of this Section. The provisions of this Subparagraph shall not apply to  
22 an owner who has qualified for and received the special assessment level for a person  
23 sixty-five years of age or older or to the owner's surviving spouse as described in  
24 Subparagraph (B)(1)(a) of this Section or for an owner who is permanently totally  
25 disabled as provided for in Item (a)(iv) of this Paragraph.

26 (2) Any millage rate applied to the special assessment level shall not be  
27 subject to a limitation.

28 B. Provided the owner is qualified for and receives the special assessment  
29 level, the special assessment level shall remain on the property as long as:

1           (1)(a) The owner who is sixty-five years of age or older, or that owner's  
2           surviving spouse who is fifty-five years of age or older or who has minor children,  
3           remains the owner of the property.

4           (b) The owner who has a service-connected disability of fifty percent or  
5           more, or that owner's surviving spouse who is forty-five years of age or older or who  
6           has minor children, remains the owner of the property.

7           (c) The spouse of the owner who is killed in action remains the owner of the  
8           property.

9           (d) The first day of the tax year following the tax year in which an owner  
10          who was missing in action or was a prisoner of war for a period exceeding ninety  
11          days is no longer missing in action or a prisoner of war.

12          (e) Even if the ownership interest of any surviving spouse or spouse of an  
13          owner who is missing in action as provided for in this Subsection is an interest in  
14          usufruct.

15          (2) The value of the property does not increase more than twenty-five  
16          percent because of construction or reconstruction.

17          C. A new or subsequent owner of the property may claim a special  
18          assessment level when eligible pursuant to this Section. The new owner is not  
19          necessarily entitled to the same special assessment level on the property as when that  
20          property was owned by the previous owner.

21          D.(1) The special assessment level on property that is sold shall  
22          automatically expire on the last day of December in the year prior to the year that the  
23          property is sold. The property shall be immediately revalued at fair market value by  
24          the assessor and shall be assessed by the assessor on the assessment rolls in the year  
25          it was sold at the assessment level provided for in Article VII, Section 32 of the  
26          Constitution of Louisiana.

27          (2) This new assessment level shall remain in effect until changed.

28          E.(1) Any owner entitled to the special assessment level set forth in this  
29          Section who is unable to occupy the homestead on or before December thirty-first

1        of a future calendar year due to damage or destruction of the homestead caused by  
2        a disaster or emergency declared by the governor shall be entitled to keep the special  
3        assessment level of the homestead prior to its damage or destruction on the repaired  
4        or rebuilt homestead provided the repaired or rebuilt homestead is reoccupied by the  
5        owner within five years from December thirty-first of the year following the disaster.  
6        The assessed value of the land and buildings on which the homestead was located  
7        prior to its damage shall not be increased above its assessed value immediately prior  
8        to the damage or destruction described in this Paragraph. If the property owner  
9        receives a homestead exemption on another homestead during the same five-year  
10       period, the damaged or destroyed property shall not be entitled to keep the special  
11       assessment level, and the land and buildings shall be assessed in that year at the  
12       percentage of fair market value. In addition, the owner shall also maintain the  
13       homestead exemption set forth in the constitution to qualify for the special  
14       assessment level in this Paragraph.

15                (2) Any owner entitled to the special assessment level set forth in Paragraph  
16        (1) of this Subsection who is unable to reoccupy his homestead within five years  
17        from December thirty-first of the year following the disaster shall be eligible for an  
18        extension of the special assessment level on the homestead for a period not to exceed  
19        two years. A homeowner shall be eligible for this extension only if the homeowner's  
20        damage claim is filed and pending in a formal appeal process with any federal, state,  
21        or local government agency or program offering grants or assistance for repairing or  
22        rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner  
23        has a damage claim filed and pending against the insurer of the property. The  
24        homeowner shall apply for this extension of the special assessment level with the  
25        assessor of the parish in which the homestead is located. The assessor shall require  
26        the homeowner to provide official documentation from the government agency or  
27        program evidencing the homeowner's participation in the formal appeal process or  
28        official documentation evidencing the homeowner has a damage claim filed and  
29        pending against the insurer of the damaged property.

1           (3) After expiration of the extension authorized in Paragraph (2) of this  
2           Subsection, an assessor shall have the authority to grant on a case-by-case basis up  
3           to three additional one-year extensions of the special assessment level.

4           F.(1) A trust shall be eligible for the special assessment.

5           (2) If a trust would have been eligible for the special assessment level  
6           pursuant to this Subsection prior to the most recent reappraisal, the total assessment  
7           of the property held in trust shall be the assessed value on the last appraisal before  
8           the reappraisal.

9           §1718. Homestead Exemption

10           A.(1) The exemption for a bona fide homestead as defined in the  
11           Constitution of Louisiana, shall be seven thousand five hundred dollars of the  
12           assessed valuation.

13           (2) Any taxpayer entitled to the homestead exemption set forth in the  
14           Constitution of Louisiana must own and occupy the homestead on or before  
15           December thirty-first of the calendar year in which the exemption is claimed  
16           regardless of its homestead exemption status as of January first of the calendar year  
17           in which the homestead exemption is claimed.

18           B. Orleans Parish. In the parish of Orleans, the status of real and personal  
19           property on the first day of August of each year, except as provided in Paragraph  
20           (A)(2) of this Section, shall determine its liability for exemption from taxation for  
21           the following calendar year.

22           C.(1) Penalties for false statements. Any person who, either in his individual  
23           or representative capacity, knowingly makes any false statement or knowingly  
24           furnishes any false information in any affidavit or other document that he may  
25           present for the purpose of procuring or attempting to procure this tax exemption or  
26           benefit pursuant to the provisions of this Section, or who knowingly, for the purpose  
27           of securing the tax exemption, presents any affidavit or other document containing  
28           any false statement, or any person aiding, assisting or abetting any person in  
29           unlawfully and knowingly securing or attempting to secure any tax exemption, with

1 knowledge of the false or illegal application or the false statement, shall be guilty of  
2 a misdemeanor punishable as provided in this Section.

3 (2) Any assessor, deputy assessor, or other official, clerk or employee of the  
4 state or any of its political subdivisions, who knowingly reports, lists, or claims any  
5 property on which exemption from taxes pursuant to Article VII, Section 34 of the  
6 Constitution of Louisiana and R.S. 47:1703 has been applied for, to be subject to a  
7 higher millage for taxation purposes than is the true millage applicable thereto, shall  
8 be guilty of a misdemeanor, punishable as provided in this Section.

9 (3) Upon conviction for a violation of any of the provisions of this  
10 Subsection, the offender shall be punishable by a fine of not less than one hundred  
11 dollars, nor more than five hundred dollars, or by imprisonment of not less than one  
12 month, nor more than six months, or both.

13 D. Undivided ownership. The exemption for a bona fide homestead, as  
14 provided for in Subsection A of this Section, when occupied by an heir in the direct  
15 line in undivided ownership shall be granted to the full extent provided no other  
16 homestead exemption is claimed by that person.

17 E. For property damaged during a disaster or emergency, the following  
18 shall apply:

19 (1)(a) Any homestead receiving the homestead exemption that is damaged  
20 or destroyed during a disaster or emergency declared by the governor whose owner  
21 is unable to occupy the homestead on or before December thirty-first of a calendar  
22 year due to damage or destruction shall be entitled to claim the exemption by filing  
23 with the assessor of the parish in which the homestead was located, an annual  
24 affidavit of intent to return and reoccupy the homestead within a period of five years  
25 from December thirty-first of the tax year in which the disaster occurred. In no event  
26 shall more than one homestead exemption extend or apply to any person in this state.

27 (b) For a homestead qualifying for the homestead exemption pursuant to the  
28 provisions of this Paragraph, after expiration of the five-year period, the owner of a  
29 homestead shall be entitled to claim and keep the exemption for a period not to

1 exceed two additional years by filing an annual affidavit of intent to return and  
2 reoccupy the homestead with the assessor within the parish where the homestead is  
3 situated. A homeowner shall be eligible for this extension only if the homeowner's  
4 damage claim to repair or rebuild the damaged or destroyed homestead is filed and  
5 pending in a formal appeal process with any federal, state, or local government  
6 agency or program offering grants or assistance for repairing or rebuilding damaged  
7 or destroyed homes as a result of the disaster, or if a homeowner has a damage claim  
8 filed and pending against the insurer of the property. The assessor shall require the  
9 homeowner to provide official documentation from the government agency or  
10 program evidencing the homeowner's participation in the formal appeal process or  
11 official documentation evidencing the homeowner has a damage claim filed and  
12 pending against the insurer of the property.

13 (c) After expiration of the extension authorized in Subparagraph (b) of this  
14 Paragraph, an assessor shall have the authority to grant up to three additional one-  
15 year extensions of the homestead exemption on a case-by-case basis. A homeowner  
16 shall only be eligible for an additional extension if the owner has made a good faith  
17 attempt to secure a contractor or builder to complete the needed repairs or  
18 reconstruction of the home but is unable to complete the project due to  
19 uncontrollable contractor or builder delays. In order to qualify for this extension, the  
20 homeowner shall provide to the assessor documentation evidencing good faith in  
21 attempting to secure a contractor or builder to complete the project.

22 (2)(a) Any owner entitled to the special assessment level set forth in R.S.  
23 47:1717 who is unable to occupy the homestead on or before December thirty-first  
24 of a future calendar year due to damage or destruction of the homestead caused by  
25 a disaster or emergency declared by the governor shall be entitled to keep the special  
26 assessment level of the homestead prior to its damage or destruction on the repaired  
27 or rebuilt homestead provided the repaired or rebuilt homestead is occupied by the  
28 owner within five years from December thirty-first of the year following the disaster.  
29 The assessed value of the land and buildings on which the homestead was located

1 prior to its damage shall not be increased above its assessed value immediately prior  
2 to the damage or destruction described in this Paragraph. If the property owner  
3 receives a homestead exemption on another homestead during the same five-year  
4 period, the damaged or destroyed property shall not be entitled to keep the special  
5 assessment level, and the land and buildings shall be assessed in that year at the  
6 percentage of fair market value set forth in the constitution. In addition, the owner  
7 must also maintain the homestead exemption set forth in Article VII, Section 34 of  
8 the Constitution of Louisiana and this Section to qualify for the special assessment  
9 level set forth in R.S. 47:1717.

10 (b) Any owner entitled to the special assessment level as provided for in this  
11 Paragraph who is unable to reoccupy his homestead within five years from  
12 December thirty-first of the year following the disaster shall be eligible for an  
13 extension of the special assessment level on the homestead for a period not to exceed  
14 two years. A homeowner shall be eligible for this extension only if the homeowner's  
15 damage claim is filed and pending in a formal appeal process with any federal, state,  
16 or local government agency or program offering grants or assistance for repairing or  
17 rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner  
18 has a damage claim filed and pending against the insurer of the property. The  
19 homeowner shall apply for this extension of the special assessment level with the  
20 assessor of the parish in which the homestead is located. The assessor shall require  
21 the homeowner to provide official documentation from the government agency or  
22 program evidencing the homeowner's participation in the formal appeal process or  
23 official documentation evidencing the homeowner has a damage claim filed and  
24 pending against the insurer of the property.

25 (c) After expiration of the extension authorized in Subparagraph (b) of this  
26 Paragraph, an assessor shall have the authority to grant up to three additional one-  
27 year extensions of the special assessment level on a case-by-case basis. A  
28 homeowner shall only be eligible for an additional extension if the owner has made  
29 a good faith attempt to secure a contractor or builder to complete the needed repairs

1 or reconstruction of the home but is unable to complete the project due to  
2 uncontrollable contractor or builder delays. In order to qualify for this extension, the  
3 homeowner shall provide to the assessor documentation evidencing good faith in  
4 attempting to secure a contractor or builder to complete the project.

5 §1719. Adjustment of Ad Valorem Tax Millages

6 A. Adjustments. Except as otherwise permitted in this Section, the total  
7 amount of ad valorem taxes collected by any taxing authority in the year in which  
8 the reappraisal and valuation provisions of Article VII, Section 32(F) of the  
9 Constitution of Louisiana are implemented shall not be increased or decreased  
10 because of a reappraisal or valuation or increases or decreases in the homestead  
11 exemption above or below the total amount of ad valorem taxes collected by that  
12 taxing authority in the year preceding implementation of the reappraisal and  
13 valuation. To accomplish this result, the provisions of millage adjustments pursuant  
14 to Article VII, Sections 32 and 34 of the Constitution of Louisiana and R.S. 47:1718  
15 shall be mandatory. Thereafter, following implementation of each subsequent  
16 reappraisal and valuation required by Article VII, Section 32 of the Constitution of  
17 Louisiana, the millages as fixed in each such implementation shall remain in effect  
18 unless changed as permitted by Subsection B of this Section.

19 B. Increases Permitted. Nothing herein shall prohibit a taxing authority from  
20 collecting, in any subsequent year, a larger dollar amount of ad valorem taxes by  
21 levying additional or increased millages as provided by law or placing additional  
22 property on the tax rolls. Increases in the millage rate in excess of the rates  
23 established as provided by Subsection A of this Section but not in excess of the prior  
24 year's maximum authorized millage rate may be levied by two-thirds vote of the total  
25 membership of a taxing authority without further voter approval but only after a  
26 public hearing held in accordance with the open meetings law; however, in addition  
27 to any other requirements of the open meetings law, public notice of the time, place,  
28 and subject matter of such hearing shall be published on two separate days no less  
29 than thirty days before the public hearing. The public notice shall be published in the

1       official journal of the taxing authority, and another newspaper with a larger  
2       circulation within the taxing authority than the official journal of the taxing  
3       authority, if there is one.

4               C. Implementation of the provisions of this Section shall neither trigger nor  
5       be cause for a reappraisal of property or an adjustment of millages pursuant to  
6       Subsection B of this Section.

7               D. Application. This Section shall not apply to millages required to be levied  
8       for the payment of general obligation bonds.

9       Section 2. (A) The Louisiana State Law Institute is hereby authorized and directed  
10     to renumber the Sections of Chapter 1 of Subtitle III of Title 47 of the Louisiana Revised  
11     Statutes of 1950 as provided for in this Act as follows:

12           (1) Sections 1702, 1703, 1703.1, and 1704 shall be renumbered as 1701, 1703, 1705,  
13     and 1706 respectively.

14           (2) Sections 1705, 1705.1, 1706, and 1707 shall be renumbered as 1707, 1709, 1710,  
15     and 1711 respectively.

16           (3) Sections 1707.1, 1708, 1709, and 1710 shall be renumbered as 1712, 1713, 1714,  
17     and 1715 respectively.

18           (4) Sections 1711, 1712, 1713, and 1714 shall be renumbered as 1716, 1717, 1718,  
19     and 1719 respectively.

20           (5) Sections 1715, 1716, 1717, 1718, and 1719 shall be renumbered as 1720, 1721,  
21     1702, 1704, and 1708 respectively.

22       (B) The Louisiana State Law Institute is hereby authorized and directed to correct  
23     statutory references within Chapter 1 of Subtitle III of Title 47 of the Louisiana Revised  
24     Statutes of 1950 including such references in statutory provisions reenacted by this Act.

25       Section 3. This Act shall take effect and become operative if and when the proposed  
26     amendment of Article VII of the Constitution of Louisiana contained in the Act that  
27     originated as House Bill No. 7 of this Third Extraordinary Session of the Legislature is  
28     adopted at a statewide election and becomes effective.

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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)]

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HB 11 Reengrossed

2024 Third Extraordinary Session

Deshotel

**Abstract:** Codifies provisions of present constitution regarding the homestead exemption, special assessment level, millage adjustments, and other property tax exemptions in statute and authorizes an optional property tax exemption for business inventory.

### **Redesignations of law**

Present law and present constitution provide for the levy of ad valorem property tax and for the classification and annual assessment of property for purposes of calculating ad valorem taxes in Article VII, Sections 18 through 23 of the Constitution of La. and Chapter 1 of Subtitle 3 of Title 47 (Sections 1702-1716).

Proposed law redesignates all sections of present law (Sections 1702-1716). Retains all provisions of present law, except for removing references to articles in the constitution and changing cross references to statutes within Chapter 1.

Proposed law adds new sections of law (1701 and 1717-1721).

Proposed law authorizes and directs the law institute to renumber the sections of Chapter 1 as listed.

### **Homestead Exemption**

Present constitution authorizes the levy of ad valorem taxes on property within La. Present constitution establishes an exemption from state, parish, and special ad valorem property taxes for the bona fide homestead of the property owner, for the first \$7,500 of assessed valuation. Present law provides for administration and implementation of the homestead exemption as well as other property tax exemptions by assessors in each parish.

Proposed law retains provisions relative to the homestead exemption provided for in present constitution but moves these provisions to statutory law and re-designates these provisions in R.S. 47:1718. Proposed law further retains provisions in present law relative to the timing of the status of real and personal property in Orleans parish for purposes of claiming the homestead exemption for the following calendar year as well as general provisions relative to penalties for property owners who provide false statements and information for purposes of claiming the homestead exemption or other property tax exemptions.

### **Other Property Tax Exemptions**

Present constitution provides for the classification and assessment of property subject to ad valorem taxation. Further provides an exclusive list of types of property that, in addition to property to which the homestead exemption provided for in present constitution applies, shall be exempt from ad valorem taxation.

Proposed law moves the provisions of Art. 7 Sec. 21 from the present constitution to statute (R.S. 47:1703).

Proposed law adds an optional ad valorem tax exemption on items constituting business inventory, including goods which are held for sale and goods in production or for ultimate

consumption in the production of goods or services for sale. Proposed law defines "business inventory" for purposes of proposed law.

Proposed law limits the optional exemption to parishes in which the sheriff, school board, and the parish governing authority elect to exempt business inventory from ad valorem taxation. Requires the exemption election to be evidenced in writing and to indicate if the parish will implement the full exemption immediately or over a period not to exceed five years. The election shall be made no later than July 1, 2026, and shall be applicable to taxable periods beginning on or after Jan. 1, 2026. Proposed law requires that the parish's election to exempt business inventory be irrevocable.

Proposed law provides that any parish that elects to exempt 100% of business inventory from ad valorem tax to immediately receive a payment from the state equal to the greater of three times the amount of ad valorem taxes collected on business inventory within the parish for the 2023 tax year or \$1M dollars. Any parish that elects to phase-in the exemption over a period not to exceed five years shall receive a payment equal to the greater of the amount of ad valorem taxes collected on business inventory within the parish for the 2023 tax year or \$500,000. Proposed law limits the maximum amount a parish may receive from the state for immediately implementing an exemption for business inventory to \$15M and limits the maximum amount a parish may receive for phasing-in an exemption for business inventory to \$10M.

Proposed law provides that calculation of the payments to parishes electing to exempt items constituting business inventory shall be as follows:

PARISH	PAYMENT AMOUNT IF PROPERTY EXEMPTION IS IMMEDIATE	PAYMENT AMOUNT IF PROPERTY EXEMPTION IS PHASED-IN
Acadia	\$8,064,687	\$2,688,229
Allen	\$4,649,178	\$1,549,726
Ascension	\$15,000,000	\$10,000,000
Assumption	\$12,643,215	\$4,214,405
Avoyelles	\$3,311,623	\$1,103,874
Beauregard	\$10,698,616	\$3,566,205
Bienville	\$15,000,000	\$9,803,655
Bossier	\$15,000,000	\$10,000,000
Caddo	\$15,000,000	\$10,000,000
Calcasieu	\$15,000,000	\$10,000,000
Caldwell	\$1,000,000	\$500,000
Cameron	\$11,841,732	\$3,947,244
Catahoula	\$1,000,000	\$500,000
Claiborne	\$1,000,000	\$500,000
Concordia	\$2,591,401	\$863,800
Desoto	\$4,506,854	\$1,502,285
East Baton Rouge	\$15,000,000	\$10,000,000
East Carroll	\$2,942,280	\$980,760
East Feliciana	\$2,361,471	\$787,157
Evangeline	\$9,014,235	\$3,004,745
Franklin	\$4,100,553	\$1,366,851
Grant	\$2,996,249	\$998,750
Iberia	\$15,000,000	\$5,485,411

Iberville	\$15,000,000	\$10,000,000
Jackson	\$2,334,131	\$778,044
Jefferson	\$15,000,000	\$10,000,000
Jefferson Davis	\$5,318,676	\$1,772,892
Lafayette	\$15,000,000	\$10,000,000
Lafourche	\$15,000,000	\$6,119,490
LaSalle	\$3,686,862	\$1,228,954
Lincoln	\$8,279,452	\$2,759,817
Livingston	\$13,489,157	\$4,496,386
Madison	\$3,868,362	\$1,289,454
Morehouse	\$4,726,058	\$1,575,353
Natchitoches	\$6,077,027	\$2,025,676
Orleans	\$15,000,000	\$10,000,000
Ouachita	\$15,000,000	\$10,000,000
Plaquemines	\$15,000,000	\$8,442,726
Pointe Coupee	\$3,399,273	\$1,133,091
Rapides	\$15,000,000	\$10,000,000
Red River	\$1,421,703	\$500,000
Richland	\$5,095,444	\$1,698,481
Sabine	\$2,046,275	\$682,158
St. Bernard	\$15,000,000	\$10,000,000
St. Charles	\$15,000,000	\$10,000,000
St. Helena	\$1,000,000	\$500,000
St. James	\$15,000,000	\$10,000,000
St. John the Baptist	\$15,000,000	\$10,000,000
St. Landry	\$15,000,000	\$8,013,535
St. Martin	\$15,000,000	\$6,128,714
St. Mary	\$15,000,000	\$7,325,494
St. Tammany	\$15,000,000	\$10,000,000
Tangipahoa	\$15,000,000	\$7,294,402
Tensas	\$1,000,000	\$500,000
Terrebonne	\$15,000,000	\$8,835,679
Union	\$1,428,985	\$500,000
Vermilion	\$4,236,873	\$1,412,291
Vernon	\$3,585,481	\$1,195,160
Washington	\$4,904,267	\$1,634,756
Webster	\$9,632,542	\$3,210,847
West Baton Rouge	\$15,000,000	\$10,000,000
West Carroll	\$1,277,144	\$500,000
West Feliciana	\$1,800,699	\$600,233
Winn	\$1,964,567	\$654,856

Proposed law requires the tax collector of each parish electing to exempt items constituting business inventory to distribute the monies received from the treasurer on a pro rata basis to each taxing authority that levies an ad valorem tax within the parish. Further requires the treasurer to disburse monies to the collector within 30 days of receiving certification from the Dept. of Revenue that the parish has elected to irrevocably exempt business inventory from ad valorem tax.

### **Special Assessment Level**

Present constitution grants a special assessment level to certain owners of residential property receiving the homestead exemption. The special assessment level prohibits the total assessment of the property from being increased above the total assessment of the property for the first year that the eligible owner qualifies for and receives the special assessment level. Eligible owners include people who are 65 years of age or older, people who have a service-connected disability rating of 50% or more, members of the armed forces of the U.S. or the La. National Guard who owned and occupied the property who are killed in action, missing in action or are a prisoner of war for a period exceeding 90 days, and people who are permanently totally disabled as determined by a final non-appealable judgment of certain courts or state or federal administrative agencies charged with the responsibility for making determinations regarding disability.

Present constitution limits a person from receiving the special assessment if the person's adjusted gross income exceeds \$100,000. Beginning in 2026, the \$100,000 limit is adjusted annually by the Consumer Price Index.

Proposed law retains all provisions of present constitution but moves Art. 7 Sec. 18(G) from the constitution to statute (R.S. 47:1717).

### **Adjustment of Ad Valorem Millages**

Present constitution prohibits the total amount of ad valorem taxes collected by any taxing authority in the year in which the mandatory reappraisal and valuation of property occurs to be increased or decreased because of a reappraisal or valuation or increases or decreases in the homestead exemption above or below the total amount of ad valorem taxes collected by that taxing authority in the year preceding implementation of the reappraisal and valuation. To accomplish this result, the provisions of millage adjustments in present constitution are mandatory.

Proposed law retains all provisions of present constitution but moves Art. 7 Sec. 23 from the constitution to statute (R.S. 47:1719).

Effective if and when the proposed amendment of Art. 7 of the constitution contained in the Act which originated as House Bill No. 7 of this 2024 3<sup>rd</sup> E.S. of the Legislature is adopted at a statewide election and becomes effective.

(Amends R.S. 47:1703, 1703.1(A), 1705(B)(1)(a) and (b)(i), (2)(a), (b), (c)(i)(intro. para.) and (ii), (d), and (D), 1707-1708, 1710, 1712, 1713(B), 1714(intro. para.), (1), and (6), 1715(intro. para.), (1), and (6), and 1716; Adds R.S. 47:1702(12)-(15) and 1717-1719)

### **Summary of Amendments Adopted by House**

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Require the tax collector in a parish electing to exempt business inventory from ad valorem tax to distribute the monies received from the state on a pro rata basis to each taxing authority that levies an ad valorem tax within the parish.

2. Require the treasurer to disburse monies to the parish collector within 30 days of receiving certification from the Dept. of Revenue that the parish has elected to irrevocably exempt business inventory from ad valorem tax.
3. Limit the maximum amount a parish may receive from the state for immediately implementing an exemption for business inventory to \$15M and limit the maximum amount a parish may receive for phasing-in an exemption for business inventory to \$10M.
4. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Require the election for the locals to exempt business inventory to be made no later than July 1, 2026, and shall be applicable to taxable periods beginning on *or after* Jan. 1, 2026.
2. Make technical changes.