

Regular Session, 2013

HOUSE BILL NO. 331

BY REPRESENTATIVE GREENE

TAX EXEMPTIONS/HOMESTEAD: (Constitutional Amendment) Provides with respect to the amount of assessed valuation at which the homestead exemption applies

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A JOINT RESOLUTION

2

Proposing to amend Article VII, Sections 20(A)(1) and 23(B) of the Constitution of

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Louisiana, relative to ad valorem tax; to provide that the homestead exemption does

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not apply to the first one thousand dollars of assessed valuation; to prohibit

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reappraisal or adjustment of millages as a result of this Act; to provide for an

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effective date; to provide for submission of the proposed amendment to the electors;

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and to provide for related matters.

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Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members

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elected to each house concurring, that there shall be submitted to the electors of the state of

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Louisiana, for their approval or rejection in the manner provided by law, a proposal to

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amend Article VII, Sections 20(A)(1) and 23(B) of the Constitution of Louisiana, to read as

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follows:

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§20. Homestead Exemption

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Section 20.(A) Homeowners.

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(1) The bona fide homestead, consisting of a tract of land or two or more

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tracts of land even if the land is classified and assessed at use value pursuant to

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Article VII, Section 18(C) of this constitution, with a residence on one tract and a

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field with or without timber on it, pasture, or garden on the other tract or tracts, not

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exceeding one hundred sixty acres, buildings and appurtenances, whether rural or

1 urban, owned and occupied by any person or persons owning the property in
 2 indivision, shall be exempt from state, parish, and special ad valorem taxes to the
 3 extent of seven thousand five hundred dollars of the assessed valuation which is in
 4 excess of the first one thousand dollars of the assessed valuation. The same
 5 homestead exemption shall also fully apply to the primary residence, including a
 6 mobile home, which serves as a bona fide home and which is owned and occupied
 7 by any person or persons owning the property in indivision, regardless of whether
 8 the homeowner owns the land upon which the home or mobile home is sited;
 9 however, this homestead exemption shall not apply to the land upon which such
 10 primary residence is sited if the homeowner does not own the land.

11 * * *

12 §23. Adjustment of Ad Valorem Tax Millages

13 Section 23.

14 * * *

15 (B) Subsequent Adjustments. Except as otherwise permitted in this Section,
 16 the total amount of ad valorem taxes collected by any taxing authority in the year in
 17 which the reappraisal and valuation provisions of Section 18, Paragraph (F) of this
 18 Article are implemented shall not be increased or decreased because of a reappraisal
 19 or valuation or increases or decreases in the homestead exemption above or below
 20 the total amount of ad valorem taxes collected by that taxing authority in the year
 21 preceding implementation of the reappraisal and valuation. To accomplish this
 22 result, the provisions of millage adjustments relative to implementation of Section
 23 18 and Section 20 of this Article, as set forth in Paragraph (A) of this Section shall
 24 be mandatory. Thereafter, following implementation of each subsequent reappraisal
 25 and valuation required by Paragraph (F) of Section 18 of this Article, the millages
 26 as fixed in each such implementation shall remain in effect unless changed as
 27 permitted by Paragraph (C) of this Section. The implementation of the increase in
 28 the amount of assessed valuation at which the homestead exemption shall apply
 29 pursuant to the provisions of Subparagraph (A)(1) of Section 20 of this Article,

1 which provision becomes effective January 1, 2015, shall neither trigger nor be cause
2 for a reappraisal of property or an adjustment of millages pursuant to this Paragraph.

3 * * *

4 Section 2. Be it further resolved that this proposed amendment shall be submitted
5 to the electors of the state of Louisiana at the statewide election to be held on November 4,
6 2014.

7 Section 3. Be it further resolved that on the official ballot to be used at the election,
8 there shall be printed a proposition, upon which the electors of the state shall be permitted
9 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
10 follows:

11 Do you support an amendment that makes the first ten thousand dollars of a
12 homestead's fair market value subject to property tax, with the current
13 homestead exemption applying to the next seventy-five thousand dollars of
14 fair market value, and precluding the taxing authority from otherwise
15 reappraising or adjusting millages as a result of the passage of this provision?
16 (Effective January 1, 2015) (Amends Article VII, Sections 20(A)(1) and
17 23(B))

DIGEST

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

Greene

HB No. 331

Abstract: Imposes property taxes on homestead's first \$10,000 of fair market value while retaining, above that amount, the \$75,000 homestead exemption.

Present constitution exempts from certain property taxes the first \$7,500 of assessed valuation (\$75,000 of fair market value) of a homestead.

Proposed constitutional amendment retains provisions of present constitution as it relates to the amount of the exemption but applies that exemption only after the first \$1,000 of assessed valuation (\$10,000 of fair market value) of a homestead is taxed.

Proposed constitutional amendment specifies that the implementation of this provision shall neither trigger nor be cause for a reappraisal of millage adjustments.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2014.

Effective Jan. 1, 2015.

(Amends Const. Art. VII, §§20(A)(1) and 23(B))