

SENATE BILL NO. 140

BY SENATORS WALSWORTH AND THOMPSON

1 A JOINT RESOLUTION

2 Proposing to enact Article VII, Section 21(N) of the Constitution of Louisiana, relative to
3 ad valorem tax exemptions; to provide for the exemption of certain property under
4 construction; and to specify an election for submission of the proposition to electors
5 and provide a ballot proposition.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7 elected to each house concurring, that there shall be submitted to the electors of the state, for
8 their approval or rejection in the manner provided by law, a proposal to enact Article VII,
9 Section 21(N) of the Constitution of Louisiana, to read as follows:

10 §21. Other Property Exemptions

11 Section 21. In addition to the homestead exemption provided for in Section
12 20 of this Article, the following property and no other shall be exempt from ad
13 valorem taxation:

14 * * *

15 (N)(1) All property delivered to a construction project site for the
16 purpose of incorporating the property into any tract of land, building, or other
17 construction as a component part, including the type of property that may be
18 deemed to be a component part once placed on an immovable for its service and
19 improvement pursuant to the provisions of the Louisiana Civil Code of 1870, as
20 amended. The exemption provided for in this Paragraph shall be applicable
21 until the construction project for which the property has been delivered is
22 complete. A construction project shall be deemed complete when construction
23 is finished to the extent that the project can be used or occupied for its intended
24 purpose. A construction project shall not be deemed complete during its
25 inspection, testing, or commissioning stages, as defined by reasonable industry

1 standards.

2 (2) Notwithstanding the provisions of Subparagraph (1) of this
3 Paragraph, this exemption shall not apply to any of the following:

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

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

9 (c) Any public service property, unless the public service property is
10 otherwise eligible for an exemption provided by any other provision of this
11 constitution.

12 Section 2. Be it further resolved that this proposed amendment shall be submitted
13 to the electors of the state of Louisiana at the statewide election to be held on October 14,
14 2017.

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

19 Do you support an amendment to exempt from property taxes materials and
20 other property delivered to a construction site to be made part of a building
21 or other construction?

22 (Adds Article VII, Section 21(N))

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES