## SLS 20RS-442

## ORIGINAL

2020 Regular Session

SENATE BILL NO. 207

BY SENATOR SMITH

TAX/AD VALOREM. Constitutional amendment to provide for the adjustment of ad valorem millages. (2/3 - CA13S1(A))

1	A JOINT RESOLUTION
2	Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, relative to
3	ad valorem property tax millage rate adjustments; to provide for maximum
4	authorized millage rates; and to specify an election for submission of the proposition
5	to electors 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 amend Article VII,
9	Section 23(C) of the Constitution of Louisiana, to read as follows:
10	§23. Adjustment of Ad Valorem Tax Millages
11	* * *
12	(C) Increases Permitted. Nothing herein shall prohibit a taxing authority from
13	collecting, in the year in which Sections 18 and 20 of this Article are implemented or in any
14	subsequent year, a larger dollar amount of ad valorem taxes by (1) levying additional or
15	increased millages as provided by law or (2) placing additional property on the tax rolls.
16	Increases in the millage rate in excess of the rates established as provided by Paragraph (B)
17	above of this Section but not in excess of the prior year's any previous maximum

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1	authorized millage rate approved by the taxing authority's electors may be levied by
2	two-thirds vote of the total membership of a taxing authority without further voter approval
3	but only after a public hearing held in accordance with the open meetings law; however, in
4	addition to any other requirements of the open meetings law, public notice of the time, place
5	and subject matter of such hearing shall be published on two separate days no less than thirty
6	days before the public hearing. Such public notice shall be published in the official journal
7	of the taxing authority, and another newspaper with a larger circulation within the taxing
8	authority than the official journal of the taxing authority, if there is one.
9	* * *
10	Section 2. Be it further resolved that this proposed amendment shall be submitted
11	to the electors of the state of Louisiana at the statewide election to be held on November 3,
12	2020.
13	Section 3. Be it further resolved that on the official ballot to be used at said election
14	there shall be printed a proposition, upon which the electors of the state shall be permitted
15	to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
16	follows:
17	Do you support an amendment to change the authorization for a millage rate
18	"roll forward" to permit use of the maximum authorized rate established by
19	the voters within the taxing authority?
20	(Amend Article VII, Section 23(C))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Leonore Heavey.

SB 207 Original

DIGEST 2020 Regular Session

Smith

<u>Present constitution</u> establishes the mechanism by which ad valorem property tax millage rates are automatically adjusted in response to changes in the tax base resulting from reassessment or a change in the homestead exemption. Both the millage rate imposed in the year before the change in the base, as well as the maximum authorized millage rate, are adjusted so that the same amount of taxes is collected in the year after reappraisal as was collected in the prior year.

<u>Present constitution</u> authorizes an increase in a millage rate up to the prior year's maximum authorized rate by 2/3 vote of its governing body without voter approval. The maximum authorized rate is adjusted every four years due to statewide reassessment and may also be adjusted due to a change in the homestead exemption.

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<u>Proposed constitutional amendment</u> allows a taxing authority to increase its millage rate up to any previous maximum authorized millage rate approved by the taxing authority's electors rather than the <u>present constitution's</u> maximum authorized rate in effect the prior year.

Specifies submission of the amendment to the voters at the statewide election to be held on November 3, 2020.

(Amends Const. Art. VII, §23(C))