

2020 Regular Session

SENATE BILL NO. 272

BY SENATOR ABRAHAM

TAX EXEMPTIONS. Constitutional amendment to establish an ad valorem tax exemption for property subject to a cooperative endeavor agreement requiring the property owner to make payments in lieu of taxes. (2/3 - CA13s1(A))

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(O) of the Constitution of Louisiana, to provide for ad valorem property tax exemptions; to establish an exemption for certain property subject to a cooperative endeavor agreement requiring payments in lieu of taxes; to provide for requirements and limitations; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

§21. Other Property Exemptions

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

* * *

(O) Property that is subject to a cooperative endeavor agreement, as provided by law and this constitution, between the owner and one or more

1 taxing authorities which agreement requires the property owner to make
 2 payments in lieu of taxes as provided by law. Property eligible for this
 3 exemption shall be limited to property of a new manufacturing establishment
 4 or an addition to an existing manufacturing establishment.

5 (1) The exemption authorized under this Paragraph shall be to the
 6 extent agreed to and provided for in the cooperative endeavor agreement. All
 7 property exempted shall be listed on the assessment rolls and submitted to the
 8 Louisiana Tax Commission.

9 (2) Enactment of any law to implement this Paragraph and any
 10 amendment to that law shall require a two-thirds vote of the elected members
 11 of each house of the legislature.

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 November 3,
 14 2020.

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 authorize a property tax exemption for
 20 property that is subject to an agreement with local government, as provided
 21 by law, allowing the property owner to make payments instead of paying
 22 property taxes and to require a two-thirds vote of the legislature to enact laws
 23 in this regard?

24 (Adds Article VII, Section 21(O))

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

DIGEST

SB 272 Engrossed 2020 Regular Session Abraham

Present constitution authorizes the imposition of ad valorem property taxes by local governments, school boards, and other special districts.

Present constitution authorizes a variety of exemptions from ad valorem tax.

Proposed constitutional amendment changes present constitution by establishing an exemption for property subject to a cooperative endeavor agreement that requires the property owner to make payments in lieu of the ad valorem taxes imposed by a taxing authority that is a party to the agreement. The extent of the exemption shall be as provided for in the agreement.

Proposed constitutional amendment requires that an enactment of any law to implement payments in lieu of taxes shall require a two-thirds vote of each house of the legislature.

Proposed constitutional amendment requires that exempt properties be listed on the assessment rolls and that information concerning those properties be submitted to the La. Tax Commission.

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

(Adds Article VII, §21(O))