2021 Regular Session

HOUSE BILL NO. 143

BY REPRESENTATIVES WILLARD, HILFERTY, AND LANDRY

1	A JOINT RESOLUTION
2	Proposing to amend Article VII, Section 18(F)(2)(a)(introductory paragraph) and to add
3	Article VII, Section 18(F)(3) of the Constitution of Louisiana, relative to ad valorem
4	taxation; to limit the amount of an increase in the assessed value of certain property
5	following reappraisal in Orleans Parish; to provide for certain limitations; to provide
6	for an effective date; to provide for submission of the proposed amendment to the
7	electors; and to provide for related matters.
8	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
9	elected to each house concurring, that there shall be submitted to the electors of the state of
10	Louisiana, for their approval or rejection in the manner provided by law, a proposal to
11	amend Article VII, Section 18(F)(2)(a)(introductory paragraph) and to add Article VII,
12	Section 18(F)(3) of the Constitution of Louisiana, to read as follows:
13	§18. Ad Valorem Taxes
14	Section 18.
15	* * *
16	(F) Reappraisal.
17	* * *
18	(2)(a) In Except as provided for in Subparagraph (3) of this Paragraph, in the
19	year of implementation of a reappraisal as required in Subparagraph (1) of this
20	Paragraph, solely for purposes of determining the ad valorem tax imposed on
21	residential property subject to the homestead exemption as provided in Section 20
22	of this Article, if the assessed value of immovable property increases by an amount
23	which is greater than fifty percent of the property's assessed value in the previous

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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year, the collector shall phase-in the additional tax liability resulting from the increase in the property's assessed value over a four-year period as follows:

3 * *

(3)(a) In the year of implementation of a reappraisal as required in Subparagraph (1) of this Paragraph, solely for purposes of determining the ad valorem tax imposed on residential property subject to the homestead exemption as provided in Section 20 of this Article, the increase in the assessed value of residential immovable property in Orleans Parish shall not exceed ten percent of the property's assessed value in the previous year, which shall be the adjusted assessed value. In each year thereafter, the adjusted assessed value shall increase by no more than ten percent of the previous year's adjusted assessed value. The adjusted assessed value shall never exceed the assessed value determined by the most recent reappraisal.

- (b) The assessed value as determined by the most recent reappraisal before the adjustment in assessed value shall be included as taxable property in excess of the homestead exemption for purposes of any subsequent reappraisal and valuation for millage adjustment purposes under Article VII, Section 23(B) of this constitution. The decrease in the total amount of ad valorem tax collected in Orleans Parish as a result of the adjusted assessed value shall be absorbed by the taxing authority and shall not create any additional tax liability for other taxpayers in the taxing district as a result of any subsequent reappraisal and valuation or millage adjustment except for the millage adjustment authorized by Article VII, Section 23(B) of this Constitution, which shall not be in excess of the prior year's maximum authorized millage. Implementation of the adjustment to the assessed valuation authorized in this Subparagraph shall neither trigger nor be cause for a reappraisal of property.
- (c) The provisions of this Subparagraph shall not apply to the transfer or conveyance of ownership of the property. Following a transfer or conveyance, the ad valorem taxes on the property shall be based upon the fair market value as determined at the most recent reappraisal.
- (d) The provisions of this Subparagraph shall not apply to the extent the increase was attributable to construction on or improvements to the property.

HB NO. 143 **ENROLLED** 1 (e) Written notices of tax due issued by the collector for properties to which 2 this Subparagraph applies shall be based on the adjusted assessed value. 3 4 Section 2. Be it further resolved that the provision of the amendment contained in 5 this Joint Resolution shall become effective January 1, 2023, and shall be applicable to tax 6 years beginning on or after January 1, 2023. 7 Section 3. Be it further resolved that this proposed amendment shall be submitted 8 to the electors of the state of Louisiana at the statewide election to be held on November 8, 9 2022. 10 Section 4. Be it further resolved that on the official ballot to be used at the election, 11 there shall be printed a proposition, upon which the electors of the state shall be permitted 12 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as 13 follows: 14 Do you support an amendment to limit the amount of an increase in the 15 assessed value of residential property subject to the homestead exemption in 16 Orleans Parish following reappraisal at ten percent of the property's assessed 17 value in the previous year? (January 1, 2023) (Amends Article VII, Section 18 18(F)(2)(a)(introductory paragraph) and Adds Article VII, Section 18(F)(3)) SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: __