

2023 Regular Session

SENATE BILL NO. 97

BY SENATOR CARTER

TAX/AD VALOREM. Provides relative to the ad valorem tax exemption in Louisiana for affordable housing. (2/3-CA13s1(A))

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(O) of the Constitution of Louisiana, relative to ad valorem taxes; to authorize local governmental authorities to exempt property from ad valorem taxes to promote affordable housing; 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)(1) Notwithstanding any provision in this Constitution to the contrary, and in accordance with procedures and conditions provided by law, local governmental authorities may create rules to exempt properties comprised

1 of residential units from ad valorem taxes for the purpose of promoting and
2 encouraging affordable workforce housing. The rules shall include a method of
3 rescinding exemptions for properties violating governing authority rules applied
4 through this Paragraph. The exemption may provide an exemption from ad
5 valorem tax for the total assessed value of the property, or a portion thereof, or
6 may grant the right to pay ad valorem taxes based upon the assessed valuation
7 of the property for the year prior to the commencement of the exemption.
8 Properties used as rentals for periods of less than thirty days shall not be
9 eligible for any ad valorem tax exemption pursuant to this Paragraph.

10 (2) Notwithstanding any provision of this Constitution to the contrary,
11 any decrease in the total amount of ad valorem tax collected by the taxing
12 authority as a result of an ad valorem tax exemption granted pursuant to this
13 Paragraph shall be absorbed by the taxing authority and shall not create any
14 additional tax liability for other taxpayers in the taxing district as a result of
15 any subsequent reappraisal and valuation or millage adjustment.
16 Implementation of an exemption authorized in this Paragraph shall neither
17 trigger nor be cause for a reappraisal of property or an adjustment of millages.

18 Section 2. Be it further resolved that this proposed amendment shall be submitted
19 to the electors of the state of Louisiana at the statewide election to be held on October 14,
20 2023.

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

25 Do you support an amendment to allow local governmental authorities to
26 exempt property from all or a part of ad valorem taxes that would otherwise
27 be due for the purpose of promoting affordable housing?

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Danielle B. Clapinski.

DIGEST

SB 97 Original 2023 Regular Session Carter

Present constitution provides an exclusive list of exemptions from ad valorem taxation.

Proposed constitutional amendment authorizes local governmental authorities to exempt property comprised of residential units from ad valorem taxes to encourage and promote affordable housing as provided by law.

Proposed constitutional amendment authorizes the local governmental authorities to grant a full exemption, a partial exemption, or to freeze the assessment level at the previous year's assessment level.

Proposed constitutional amendment requires any decrease in the total amount of ad valorem tax collected by the taxing authority to be absorbed by the taxing authority. Provides that implementation of the exemption shall neither trigger nor be cause for a reappraisal of property or an adjustment of millages.

Specifies submission of the amendment to the voters at the statewide election to be held on October 14, 2023.

(Adds Const. Art. VII, Sec. 21(O))