2024 Third Extraordinary Session

HOUSE BILL NO. 11

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#### BY REPRESENTATIVE DESHOTEL.

2 To amend and reenact R.S. 47:1703, 1703.1(A), 1705(B)(1)(a) and (b)(i), (2)(a), (b), 3 (c)(i)(introductory paragraph) and (ii), (d), and (D), 1707 through 1708, 1710, 1712, 4 1713(B), 1714(introductory paragraph), (1), and (6), 1715(introductory paragraph), 5 (1), and (6), and 1716 and to enact R.S. 47:1702(12) through (15) and 1717 through 6 1720, relative to ad valorem taxation; to provide for definitions; to provide for 7 classification of property; to provide for valuation of property; to provide for 8 reappraisal of property; to provide for a special assessment level; to provide for ad 9 valorem taxation; to provide for the administration of ad valorem taxation; to provide 10 for ad valorem tax exemptions; to provide for requirements and limitations; to 11 provide for the adjustment of millages; to provide for the reduction of the fair market 12 value percentage of certain property under certain circumstances; to provide for 13 requirements and limitations; to provide for ad valorem tax assessors; to authorize 14 and direct the Louisiana State Law Institute to re-designate certain provisions; to 15 provide for effectiveness; and to provide for related matters. Be it enacted by the Legislature of Louisiana: 16 17 Section 1. R.S. 47:1703, 1703.1(A), 1705(B)(1)(a) and (b)(i), (2)(a), (b), 18 (c)(i)(introductory paragraph) and (ii), (d), and (D), 1707 through 1708, 1710, 1712, 19 1713(B), 1714(introductory paragraph), (1), and (6), 1715(introductory paragraph), (1), and 20 (6), and 1716 are hereby amended and reenacted and R.S. 47:1702(12) through (15) and

AN ACT

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1717 through 1720 are hereby enacted to read as follows:

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

	IID NO. 11
1	§1702. Definitions
2	As used in this Subtitle, the following terms have the meaning ascribed to
3	them in this Section, unless the context clearly indicates otherwise:
4	* * *
5	(12) "Distributor" means a person engaged in the sale of products for resale
6	or further processing for resale.
7	(13)(a) "Business inventory" means the aggregate of those items of tangible
8	personal property that are held for sale in the ordinary course of business, are
9	currently in the process of production for subsequent sale, or are to physically
10	become a part of the production of goods.
11	(b) "Business inventory" shall include the following:
12	(i) Goods or commodities awaiting sale including but not limited to the
13	merchandise of a retail or wholesale concern, the finished goods of a manufacturer
14	the commodities from farms, mines, and quarries, and goods that are used or trade-in
15	merchandise and by-products of a manufacturer.
16	(ii) Goods or commodities that are in the course of production.
17	(iii) Raw materials and supplies that will be consumed in the Louisiana
18	manufacturing process.
19	(iv) Any item of tangible personal property owned by a retailer that is
20	available for or subject to a short-term rental and that will subsequently or ultimately
21	be sold by the retailer. For purposes of this Item, the term "short-term rental" means
22	a rental of an item of tangible personal property for a period of less than three
23	hundred sixty-five days, for an undefined period, or under an open-ended agreement
24	(c) "Business inventory" shall not include the following:
25	(i) Oil stored in tanks held by a producer prior to the first sale of the oil, and
26	oil otherwise exempt from ad valorem taxation pursuant to law.
27	(ii) Items that would otherwise be considered inventory at any time following
28	the initial lease by the taxpayer of such items. The provisions of this Item shall not

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29

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Paragraph.

include the rental of tangible personal property as provided for in Item (b)(iv) of this

1	(iii) tiems that would otherwise be considered inventory any time after the
2	taxpayer has commenced depreciating the item on the taxpayer's federal tax return.
3	The provisions of this Item shall not include the rental of tangible personal property
4	as provided for in Item (b)(iv) of this Paragraph.
5	(iv) Items that have been subject to use by the taxpayer when owned for more
6	than eighteen months. The provisions of this Item shall not include the rental of
7	tangible personal property as provided for in Item (b)(iv) of this Paragraph.
8	(v) Items that are otherwise exempt from ad valorem taxation pursuant to
9	law, including goods, commodities, or personal property stored in the state for use
10	in interstate commerce.
11	(14) "Manufacturer" means one of the following:
12	(a) A person engaged in the business of working raw materials into wares
13	suitable for use or which gives new shapes, qualities, or combinations to matter
14	which already has gone through some artificial process.
15	(b) A person who meets the definition of "manufacturer" as provided in
16	Subparagraph (a) of this Paragraph and who has claimed an ad valorem exemption
17	pursuant to a contract with the State Board of Commerce and Industry as permitted
18	by law for manufacturing establishments, during the taxable year in which the local
19	inventory taxes were levied.
20	(15) "Retailer" means a person engaged in the sale of products to the ultimate
21	consumer. The term "retailer" shall also include a person engaged in the short-term
22	rental of tangible personal property classified under code numbers 532412 and
23	532310 of the North American Industry Classification System published by the
24	United States Bureau of the Census as the code numbers existed in 2022 and who is
25	registered with the Department of Revenue, or its successor, as a retailer as defined
26	in this Paragraph.
27	§1703. Exemptions
28	A. Generally. (1) Effective January 1, 1978, and thereafter, there The
29	following property shall be exempt from state, parish, and special ad valorem taxes:
30	all property which is declared to be exempt from taxation by Sections 20 and 21 of

Article VII of the Constitution and pursuant to the authority contained in Section 17 of Article VI of the Constitution, and no other. However, the exemption for a bona fide homestead, as defined in Subparagraph (1) of Paragraph A of Section 20 of Article VII of the Constitution, for the years 1978 through 1981 only, and in the parish of Orleans through 1982 only, shall be five thousand dollars of assessed valuation. Effective on the first day in January in each parish, in the year in which the appraisal and valuation provisions of Paragraph (F) of Section 18 of Article VII of the Constitution of Louisiana are implemented and thereafter, the exemption, for a bona fide homestead exemption as defined in Section 20 of Article VII of the Constitution, shall be seven thousand, five hundred dollars of the assessed valuation.

(2) Any taxpayer entitled to the homestead exemption set forth in Article VII, Section 20 of the Constitution of Louisiana must own and occupy the homestead on or before December thirty-first of the calendar year in which the exemption is claimed regardless of its homestead exemption status as of January first of the calendar year in which the homestead exemption is claimed.

B. Orleans Parish. In the parish of Orleans, the status of real and personal property on the first day of August of each year, except as provided in Paragraph (A)(2) of this Section, shall determine its liability for exemption from taxation for the following calendar year.

C. Penalties for false statements. Any person who, either in his individual or representative capacity, knowingly makes any false statement or knowingly furnishes any false information in any affidavit or other document that he may present for the purpose of procuring or attempting to procure this tax exemption or benefit under the provisions of this Section, or who knowingly, for the purpose of securing such tax exemption, presents any affidavit or other document containing any false statement, or any person aiding, assisting or abetting any such person in unlawfully and knowingly securing or attempting to secure any such tax exemption, with knowledge of such false or illegal application or such false statement, shall be guilty of a misdemeanor punishable as hereinafter provided.

Any assessor, deputy assessor, or other official, clerk or employee of the state or any of its political subdivisions, who knowingly reports, lists, or claims any property on which exemption from taxes under Sections 20 and 21 of Article VII of the constitution has been applied for, to be subject to a higher millage for taxation purposes than is the true millage applicable thereto, shall be guilty of a misdemeanor, punishable as hereinafter provided.

Upon conviction for a violation of any of the provisions of this Subsection the offender shall be punishable by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment of not less than one month, nor more than six months, or both.

D. Undivided ownership. The exemption for a bona fide homestead, as provided for in Subsection A of this Section, when occupied by an heir in the direct line in undivided ownership shall be granted to the full extent provided no other homestead exemption is claimed by that person.

E. For property damaged during a disaster or emergency, the following shall apply:

(1)(a) Any homestead receiving the homestead exemption that is damaged or destroyed during a disaster or emergency declared by the governor whose owner is unable to occupy the homestead on or before December thirty-first of a calendar year due to such damage or destruction shall be entitled to claim the exemption by filing with the assessor of the parish in which the homestead was located, an annual affidavit of intent to return and reoccupy the homestead within a period of five years from December thirty-first of the tax year in which the disaster occurred. In no event shall more than one homestead exemption extend or apply to any person in this state.

(b) For homesteads qualifying for the homestead exemption under the provisions of this Paragraph, after expiration of the five-year period, the owner of a homestead shall be entitled to claim and keep the exemption for a period not to exceed two additional years by filing an annual affidavit of intent to return and reoccupy the homestead with the assessor within the parish where the homestead is situated. A homeowner shall be eligible for this extension only if the homeowner's

damage claim to repair or rebuild the damaged or destroyed homestead is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner has a damage claim filed and pending against the insurer of the property. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process or official documentation evidencing the homeowner has a damage claim filed and pending against the insurer of the property.

(c) After expiration of the extension authorized in Subparagraph (b) of this Paragraph, an assessor shall have the authority to grant up to three additional one-year extensions of the homestead exemption on a case-by-case basis. A homeowner shall only be eligible for an additional extension if the owner has made a good faith attempt to secure a contractor or builder to complete the needed repairs or reconstruction of the home but is unable to complete the project due to uncontrollable contractor or builder delays. In order to qualify for this extension, the homeowner shall provide to the assessor documentation evidencing good faith in attempting to secure a contractor or builder to complete the project.

(2)(a) Any owner entitled to the special assessment level set forth in Article VII, Section 18(G) of the Constitution of Louisiana who is unable to occupy the homestead on or before December thirty-first of a future calendar year due to damage or destruction of the homestead caused by a disaster or emergency declared by the governor shall be entitled to keep the special assessment level of the homestead prior to its damage or destruction on the repaired or rebuilt homestead provided the repaired or rebuilt homestead is occupied by the owner within five years from December thirty-first of the year following the disaster. The assessed value of the land and buildings on which the homestead was located prior to its damage shall not be increased above its assessed value immediately prior to the damage or destruction described in this Paragraph. If the property owner receives a homestead exemption on another homestead during the same five-year period, the

damaged or destroyed property shall not be entitled to keep the special assessment level, and the land and buildings shall be assessed in that year at the percentage of fair market value set forth in the constitution. In addition, the owner must also maintain the homestead exemption set forth in Article VII, Section 20(A)(10) of the Constitution of Louisiana to qualify for the special assessment level set forth in Article VII, Section 18(G)(5) of the Constitution of Louisiana.

(b) Any owner entitled to the special assessment level as provided for in this Paragraph who is unable to reoccupy his homestead within five years from December thirty-first of the year following the disaster shall be eligible for an extension of the special assessment level on the homestead for a period not to exceed two years. A homeowner shall be eligible for this extension only if the homeowner's damage claim is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner has a damage claim filed and pending against the insurer of the property. The homeowner shall apply for this extension of the special assessment level with the assessor of the parish in which the homestead is located. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process or official documentation evidencing the homeowner has a damage claim filed and pending against the insurer of the property.

(c) After expiration of the extension authorized in Subparagraph (b) of this Paragraph, an assessor shall have the authority to grant up to three additional one-year extensions of the special assessment level on a case-by-case basis. A homeowner shall only be eligible for an additional extension if the owner has made a good faith attempt to secure a contractor or builder to complete the needed repairs or reconstruction of the home but is unable to complete the project due to uncontrollable contractor or builder delays. In order to qualify for this extension, the homeowner shall provide to the assessor documentation evidencing good faith in attempting to secure a contractor or builder to complete the project.

(1) Public lands and other public property used for public purposes. Land or property owned by another state or owned by a political subdivision of another state shall not be exempt under this Section.

(2)(a)(i) Property owned by a nonprofit corporation or association organized and operated exclusively for religious, dedicated places of burial, charitable, health, welfare, fraternal, or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or member thereof and that is declared to be exempt from federal or state income tax.

- (ii) Medical equipment leased for a term exceeding five years to a nonprofit corporation or association that owns or operates a small, rural hospital and that uses the equipment solely for healthcare purposes at the hospital, provided that the property shall be exempt only during the term of the lease to such corporation or association, and further provided that "small, rural hospital" shall mean a hospital that meets all of the following criteria:
  - (aa) It has less than fifty Medicare-licensed acute care beds.
- (bb) It is located in a municipality with a population of less than ten thousand that has been classified as an area with a shortage of health workforce by the United States Department of Health and Human Services, or its successor.
- (b) Property leased to a nonprofit corporation or association for use solely as housing for homeless persons, as defined by regulation adopted by the Louisiana Tax Commission or its successor provided that the term of the lease shall be for at least five years, that as a condition of entering into the lease the property be in compliance with all applicable health and sanitation codes for use as housing for homeless persons, that the lease shall provide that compensation to be paid to the lessor shall not exceed one dollar per year, and that such contract of lease shall recite that the property shall be used exclusively for the purpose of housing the homeless, and further provided that at such time as the property is no longer used solely as housing for homeless persons, the property shall no longer be exempt from taxation.
- (c) Property of a bona fide labor organization representing its members or affiliates in collective bargaining efforts.

(d) Property of an organization such as a lodge or club organized for charitable and fraternal purposes and practicing the same, and property of a nonprofit corporation devoted to promoting trade, travel, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.

- (e)(i) None of the property listed in this Paragraph shall be exempt if owned, operated, leased, or used for commercial purposes unrelated to the exempt purposes of the corporation or association.
- (ii) None of the property listed in this Paragraph shall be exempt if the property is owned by a nonprofit corporation or association and the governing authority of the municipality or parish in which the property is located determines all of the following:
- (aa) The property is leased as housing, is in a state of disrepair, and manifests conditions which endanger the health or safety of the public.
- (bb) The owner of the property habitually neglects maintenance of the property as evidenced by three or more sustained code enforcement violations issued for the property in the prior twelve months for matters that endanger the health or safety of residents of the property or of persons in the area surrounding the property. For purposes of this Subitem, matters deemed to endanger health or safety include structural instability due to deterioration; injurious or toxic ventilation; contaminated or inoperable water supply; holes, breaks, rotting materials, or mold in walls; roof defects that admit rain; unsecured overhang extensions in danger of collapse; a hazardous electrical system; improper connection of fuel-burning appliances or equipment; an inactive or inoperable fire detection system; an unsecured or contaminated swimming pool; or any combination of these.
- (iii) An ad valorem tax exemption denied or revoked pursuant to the provisions of Item (ii) of this Subparagraph may be issued or reinstated if the governing authority of the municipality or parish in which the property is located determines that the conditions enumerated in his Subparagraph no longer exist.

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1	(3) Cash on hand or deposit.
2	(4) Stocks and bonds, except bank stocks, the tax on which shall be paid by
3	the banking institution.
4	(5) Obligations secured by mortgage on property located in Louisiana and
5	the notes or other evidence thereof.
6	(6) Loans by life insurance companies to policyholders, if secured solely by
7	their policies.
8	(7) The legal reserve of domestic life insurance companies.
9	(8) Loans by a homestead or building and loan association to its members,
10	if secured solely by stock of the association.
11	(9) Debts due for merchandise or other articles of commerce or for services
12	rendered.
13	(10) Obligations of the state or its political subdivisions.
14	(11) Personal property used in the home or on loan in a public place.
15	(12) Irrevocably dedicated places of burial held by individuals for purposes
16	of burial of themselves or members of their families.
17	(13) Agricultural products while owned by the producer, agricultural
18	machinery, and other implements used exclusively for agricultural purposes, animals
19	on the farm, and property belonging to an agricultural fair association.
20	(14) Property used for cultural, Mardi Gras carnival, or civic activities and
21	not operated for profit to the owners.
22	(15) Rights-of-way granted to the Department of Transportation and
23	Development.
24	(16) Boats using gasoline as motor fuel.
25	(17) Commercial vessels used for gathering seafood for human consumption.
26	(18) Ships and oceangoing tugs, towboats, and barges engaged in
27	international trade and domiciled in Louisiana ports. However, this exemption shall
28	not apply to harbor, wharf, shed, and other port dues or to any vessel operated in the
29	coastal trade of the states of the United States.

1	(19) Materials, boiler fuels, and energy sources used by public utilities to
2	fuel the generation of electricity.
3	(20) All incorporeal movables of any kind or nature whatsoever, except
4	public service properties, bank stocks, and credit assessments on premiums written
5	in Louisiana by insurance companies and loan and finance companies. For purposes
6	of this Section, incorporeal movables shall have the meaning set forth in the
7	Louisiana Civil Code of 1870, as amended.
8	(21) All artwork including sculptures, glass works, paintings, drawings,
9	signed and numbered posters, photographs, mixed media, collages, or any other item
10	which would be considered as the material result of a creative endeavor which is
11	listed as a consignment article by an art dealer.
12	(22)(a) Raw materials, goods, commodities, and articles imported into this
13	state from outside the states of the United States provided that one of the following
14	conditions is met:
15	(i) The imports remain on the public property of the port authority or docks
16	of the common carrier where they first entered this state.
17	(ii) The imports, other than minerals and ores of the same kind as any mined
18	or produced in this state and manufactured articles, are held in this state in the
19	original form in bales, sacks, barrels, boxes, cartons, containers, or other original
20	packages, and raw materials held in bulk as all or a part of the new material
21	inventory of manufacturers or processors, solely for manufacturing or processing.
22	(iii) The imports are held by an importer in any public or private storage in
23	the original form in bales, sacks, barrels, boxes, cartons, containers, or other original
24	packages and agricultural products in bulk. This exemption shall not apply to these
25	imports when held by a retail merchant as part of his stock-in-trade for sale at retail.
26	(b) Raw materials, goods, commodities, and other articles being held on the
27	public property of a port authority, on docks of any common carrier, or in a
28	warehouse, grain elevator, dock, wharf, or public storage facility in this state for
29	export to a point outside the states of the United States.

1	(c) Goods, commodities, and personal property in public or private storage
2	while in transit through this state which are moving in interstate commerce through
3	or over the territory of the state or which are in public or private storage within
4	Louisiana, having been shipped from outside Louisiana for storage in transit to a
5	final destination outside Louisiana, whether such destination was specified when
6	transportation began or afterward.
7	(d) Property described in this Paragraph, whether or not entitled to
8	exemption, shall be reported to the proper taxing authority on the forms required by
9	<u>law.</u>
10	(23) Motor vehicles used on the public highways of this state, from state,
11	parish, municipal, and special ad valorem taxes.
12	(24)(a) Notwithstanding any contrary provision of this Section, the State
13	Board of Commerce and Industry or its successor, with the approval of the governor,
14	may enter into contracts for the exemption from ad valorem taxes of a new
15	manufacturing establishment or an addition to an existing manufacturing
16	establishment, on terms and conditions the board, with the approval of the governor,
17	deems in the best interest of the state.
18	(b) The exemption shall be for an initial term of no more than five calendar
19	years and may be renewed for an additional five years. All property exempted shall
20	be listed on the assessment rolls and submitted to the Louisiana Tax Commission or
21	its successor, but no taxes shall be collected on the exempted property during the
22	period of exemption.
23	(c) The terms "manufacturing establishment" and "addition" as used in this
24	Paragraph means a new plant or establishment or an addition or additions to any
25	existing plant or establishment which engages in the business of working raw
26	materials into wares suitable for use or which gives new shapes, qualities, or
27	combinations to matter which already has gone through some artificial process.
28	(25) Coal or lignite stockpiled in Louisiana for use in Louisiana for industrial
29	or manufacturing purposes or for boiler fuel, gasification, feedstock, or process
30	purposes.

of Commerce and Industry or its successor, with the approval of the governor and the local governing authority, may enter into contracts granting to a property owner, who proposes the expansion, restoration, improvement, or development of an existing structure or structures in a downtown, historic, or economic development district established by a local governing authority or in accordance with law, the right for an initial term of five years after completion of the work to pay ad valorem taxes based upon the assessed valuation of the property for the year prior to the commencement of the expansion, restoration, improvement, or development.

Contracts may be renewed, subject to the same conditions, for an additional five years extending such right for a total of ten years from completion of the work.

or district charged with economic development of each parish may enter into contracts for the exemption from parish, municipal, and special ad valorem taxes of goods held in inventory by distribution centers. In the absence of the existence of an economic development authority or district, the parish governing authority may grant contracts of exemption as are provided for in this Paragraph.

(b) The contract for exemption shall be on the terms and to the extent, up to and including the full assessed valuation of the goods held in inventory, as the economic development authority or district deems in the best interest of the parish. However, prior to entering into each individual contract, the economic development authority or district must request and receive written approval of the contract, including its terms and an estimated fiscal impact, from each affected tax recipient body in the parish, as evidenced by a favorable vote of a majority of the members of the governing authority of the tax recipient body. Failure to receive all required approvals from the tax recipient bodies before entering into a contract shall render the contract absolutely null and void.

(c) The term "distribution center" as used in this Paragraph means an establishment engaged in the sale of products for resale or further processing for resale. The term "goods held in inventory" as used in this Paragraph means goods or

products which have been given new shapes, qualities, or combinations through some artificial process and does not include raw materials such as natural gas, crude oil, sulphur, or timber or goods or products held for sale to consumers.

(28)(a) Drilling rigs used exclusively for the exploration and development of minerals outside the territorial limits of the state in Outer Continental Shelf waters which are within the state for the purpose of being stored or stacked for use outside the territorial limits of the state, or for the purpose of being converted, renovated, or repaired, and any property in the state for the purpose of being incorporated in, or to be used in the operation of the drilling rigs.

(b) The exemption provided in this Paragraph shall be applicable in any parish in which the exemption has been approved by a majority of the electors of the parish voting thereon at an election called for that purpose.

Article VII, Section 34 of the Constitution of Louisiana, which applies to the first seven thousand five hundred dollars of the assessed valuation of property, the next two thousand five hundred dollars of the assessed valuation of property receiving the homestead exemption that is owned and occupied by a veteran with a service-connected disability rating of fifty percent or more but less than seventy percent by the United States Department of Veterans Affairs shall be exempt from ad valorem taxation. The surviving spouse of a deceased veteran with a service-connected disability rating of fifty percent or more but less than seventy percent by the United States Department of Veterans Affairs shall be eligible for this exemption if the surviving spouse occupies and remains the owner of the property, whether or not the exemption was in effect on the property prior to the death of the veteran. If property eligible for the exemption provided for in this Item has an assessed value in excess of ten thousand dollars, ad valorem property taxes shall apply to the assessment in excess of ten thousand dollars.

(ii) In addition to the homestead exemption, provided pursuant to Article

VII, Section 34 of the Constitution of Louisiana, which applies to the first seven
thousand five hundred dollars of the assessed valuation of property, the next four

thousand five hundred dollars of the assessed valuation of property owned and occupied by a veteran with a service-connected disability rating of seventy percent or more but less than one hundred percent by the United States Department of Veterans Affairs shall be exempt from ad valorem taxation. The surviving spouse of a deceased veteran with a service-connected disability rating of seventy percent or more but less than one hundred percent by the United States Department of Veterans Affairs shall be eligible for this exemption if the surviving spouse occupies and remains the owner of the property, whether or not the exemption was in effect on the property prior to the death of the veteran. If property eligible for the exemption provided for in this Item has an assessed value in excess of twelve thousand dollars, advalorem property taxes shall apply to the assessment in excess of twelve thousand dollars.

(iii) In addition to the homestead exemption, provided pursuant to Article VII, Section 34 of the Constitution of Louisiana, which applies to the first seven thousand five hundred dollars of the assessed valuation of property, the remaining assessed valuation of property receiving the homestead exemption that is owned and occupied by a veteran with a service-connected disability rating of one hundred percent unemployability or totally disabled by the United States Department of Veterans Affairs shall be exempt from ad valorem taxation. The surviving spouse of a deceased veteran with a service-connected disability rating of one hundred percent unemployability or totally disabled by the United States Department of Veterans Affairs shall be eligible for this exemption if the surviving spouse occupies and remains the owner of the property, whether or not the exemption was in effect on the property prior to the death of the veteran.

(b) Notwithstanding any provision of the law to the contrary, the property assessment of a property for which an exemption established pursuant to this Paragraph has been claimed, to the extent of the applicable exemption, shall not be treated as taxable property for purposes of any subsequent reappraisals and valuation for millage adjustment purposes. The decrease in the total amount of ad valorem tax collected by a taxing authority as a result of the exemption 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. Implementation of the exemption authorized in this Paragraph shall neither trigger nor be cause for a reappraisal of property or an adjustment of millages.

(c) A trust shall be eligible for the exemption provided for in this Paragraph.

(30)(a) Except as otherwise provided herein, property owned or leased by, and used by, a targeted nonmanufacturing business in the operation of its facility, including buildings, improvements, equipment, and other property necessary or beneficial to such operation, according to a program and pursuant to contracts of exemption which contain such terms and conditions. Land underlying the facility and other property pertaining to the facility on which ad valorem taxes have previously been paid, inventories, consumables, and property eligible for the manufacturing exemption provided by Paragraph (24) of this Subsection, shall not be exempt pursuant to this Paragraph.

- (b) Ad valorem taxes shall apply to the assessed valuation of the first ten million dollars or ten percent of fair market value, whichever is greater, and this amount of property shall not be exempt pursuant to this Paragraph.
- (c) A targeted nonmanufacturing business means at least fifty percent of such business's total annual sales from a site or sites in the state is to out-of-state customers or buyers, or to in-state customers or buyers but the product or service is resold by the purchaser to an out-of-state customer or buyer for ultimate use, or to the federal government, or any combination thereof.
- (d) A contract for the exemption shall be available only in parishes which have agreed to participate.
- (31)(a) There is hereby established an exemption from ad valorem tax for the total assessed value of the homestead of the unmarried surviving spouse of a person who died under the conditions enumerated in Item (b)(i) of this Paragraph, and if the conditions established in Item (b)(ii) of this Paragraph are met.

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1	(b)(1) The exemption shall apply beginning in the tax year in which any of
2	the following persons died:
3	(aa) A member of the armed forces of the United States or Louisiana
4	National Guard who died while on active duty.
5	(bb) A state police officer who died while on duty.
6	(cc) A law enforcement or fire protection officer who qualified for the salary
7	supplement authorized in Article VII, Section 14(D)(3) of the Constitution of
8	Louisiana who died while on duty or who would have qualified if he had completed
9	the first year of his employment before his death.
10	(dd) An emergency medical responder, technician, or paramedic, as such
11	terms may be defined by law, who died while performing the duties of their
12	employment.
13	(ee) A volunteer firefighter, verified by the office of the state fire marshal
14	to have died while performing firefighting duties.
15	(ii)(aa) The property is eligible for the homestead exemption and the
16	property was the residence of a person listed within Item (i) of this Subparagraph at
17	the time of that person's death.
18	(bb) The surviving spouse has not remarried.
19	(cc) The surviving spouse annually provides evidence of their eligibility for
20	the exemption in accordance with the requirements of Subparagraph (c) of this
21	Paragraph.
22	(c) Each assessor shall establish a procedure whereby a person may annually
23	apply for the exemption. Eligibility for the exemption shall be established by the
24	production of documents and certification of information by the surviving spouse to
25	the assessor as follows:
26	(i) In an initial application for the exemption, the surviving spouse shall
27	produce documentation issued by their deceased spouse's employer evidencing the
28	death.

(ii) For purposes of the continuation of an existing exemption, the surviving
spouse shall annually provide a sworn statement to the assessor attesting to the fact
that the surviving spouse has not remarried.

(d) Once an unmarried surviving spouse has qualified for and taken the exemption, if the surviving spouse then acquires a different property which qualifies for the homestead exemption, the surviving spouse shall be entitled to an exemption on that subsequent homestead, the exemption being limited in value to the amount of the exemption claimed on the prior homestead in the last year for which the exemption was claimed. The assessor may require the submission of certain information concerning the amount of the exemption on the prior homestead for purposes of determining the extent of the exemption available for the subsequent homestead.

(e) A trust shall be eligible for the exemption provided for in this Paragraph.

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

- (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, this exemption shall not apply to any of the following:
- (i) Any portion of a construction project that is complete, available for its intended use, or operational on the date that property is assessed.

1	(ii) For projects constructed in two or more distinct phases, any phase of the
2	construction project that is complete, available for its intended use, or operational on
3	the date the property is assessed.
4	(iii) Any public service property, unless the public service property is
5	otherwise eligible for an exemption provided by any other provision of law.
6	(33)(a) In addition to the homestead exemption provided pursuant to Article
7	VII, Section 34 of the Constitution of Louisiana, which applies to the first seven
8	thousand five hundred dollars of the assessed valuation of property, a parish
9	governing authority may approve an ad valorem tax exemption of up to two thousand
10	five hundred dollars of the assessed valuation of property receiving the homestead
11	exemption that is owned and occupied by a qualified first responder.
12	(b) For the purposes of this Paragraph, "first responder" means a volunteer
13	firefighter who has completed within the tax year no fewer than twenty-four hours
14	of firefighter continuing education and is an active member of the Louisiana State
15	Firemen's Association or is on the departmental personnel roster of the Volunteer
16	Firefighter Insurance Program of the office of state fire marshal. For the purposes of
17	this Paragraph, "first responder" means a full-time public employee whose duties
18	include responding rapidly to an emergency and who resides in the same parish in
19	which their employer is located. The term includes the following:
20	(i) Peace officer, which means any sheriff, police officer, or other person
21	deputized by proper authority to serve as a peace officer.
22	(ii) Fire protection personnel.
23	(iii) An individual certified as emergency medical services personnel.
24	(iv) An emergency response operator or emergency services dispatcher who
25	provides communication support services for an agency by responding to requests
26	for assistance in emergencies.
27	(c) The exemption provided for in this Paragraph shall only apply in a parish
28	if it is approved by the parish governing authority.
29	(d) Each tax assessor shall establish a procedure whereby a person may
30	annually apply for the exemption which shall include the production of documents

by the first responder. In the application for the exemption, the first responder shall produce documentation issued by his employer evidencing employment for the taxable period for which the exemption is being requested.

- (e) Notwithstanding any provision of the law to the contrary, any decrease in the total amount of ad valorem tax collected by the taxing authority as a result of an ad valorem tax exemption granted pursuant to this Paragraph 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. Implementation of the exemption authorized in this Paragraph shall neither trigger nor be cause for a reappraisal of property or an adjustment of millages.
- B.(1) There shall be an optional ad valorem tax exemption on items constituting business inventory, including goods which are held for sale and goods in production or for ultimate consumption in the production of goods or services for sale.
- (2) The exemption provided for in this Subsection shall only apply in parishes in which the sheriff, school board, and the parish governing authority elect to exempt business inventory from ad valorem taxation.
- (3) The exemption election shall be evidenced in writing and shall indicate if the parish will implement the full exemption immediately or over a period not to exceed five years. The election shall be made no later than July 1, 2026, and shall be applicable to taxable periods beginning on or after January 1, 2026. Any election made pursuant to this Subsection shall be irrevocable.
- (4)(a) A parish electing to exempt items constituting business inventory shall receive a payment in accordance with Article VII, Section 37 of the Constitution of Louisiana and R.S. 39:100.112. The tax collector of each parish electing to exempt items constituting business inventory shall distribute the monies received from the treasurer on a pro rata basis to each taxing authority that levies an ad valorem tax within the parish. The treasurer shall disburse monies to the collector within thirty days of receipt of a certification from the secretary of the Department of Revenue

that the parish has irrevocably elected to exempt business inventory from ad valorem tax.

(b) Any parish that elects to exempt one hundred percent of business inventory from ad valorem tax and implements the exemption immediately shall receive a payment equal to the greater of thrice the amount of ad valorem taxes collected on business inventory within the parish for the 2023 tax year as calculated in the chart provided for in Subparagraph (d) of this Paragraph or one million dollars. However, the maximum amount a parish may receive pursuant to the provisions of this Subparagraph shall not exceed fifteen million dollars.

(c) Any parish that elects to phase-in an exemption of business inventory from ad valorem tax over a period not to exceed five years shall receive a payment equal to the greater of the amount of ad valorem taxes collected on business inventory within the parish for the 2023 tax year as calculated in the chart provided for in Subparagraph (d) of this Paragraph or five hundred thousand dollars. However, the maximum amount a parish may receive pursuant to the provisions of this Subparagraph shall not exceed ten million dollars.

(d) Payments to parishes electing to exempt items constituting business inventory shall be as follows:

19	Parish	Payment amount if	Payment amount if
		property is immediately	property is exempt from ad
		exempt from ad valorem	valorem tax through a
		<u>tax</u>	phase-in
20	<u>ACADIA</u>	\$8,064,687	\$2,688,229
21	ALLEN	\$4,649,178	<u>\$1,549,726</u>
22	ASCENSION	\$15,000,000	\$10,000,000
23	ASSUMPTION	\$12,643,215	<u>\$4,214,405</u>
24	AVOYELLES	\$3,311,623	<u>\$1,103,874</u>
25	BEAUREGARD	<u>\$10,698,616</u>	<u>\$3,566,205</u>
26	BIENVILLE	\$15,000,000	<u>\$9,803,655</u>
27	BOSSIER	\$15,000,000	\$10,000,000
28	CADDO	\$15,000,000	\$10,000,000

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1	CALCASIEU	\$15,000,000	\$10,000,000
2	CALDWELL	\$1,000,000	\$500,000
3	CAMERON	\$11,841,732	\$3,947,244
4	CATAHOULA	\$1,000,000	\$500,000
5	CLAIBORNE	\$1,000,000	\$500,000
6	CONCORDIA	<u>\$2,591,401</u>	\$863,800
7	<u>DESOTO</u>	\$4,506,854	<u>\$1,502,285</u>
8	EAST BATON ROUGE	\$15,000,000	\$10,000,000
9	EAST CARROLL	\$2,942,280	\$980,760
10	EAST FELICIANA	\$2,361,471	<u>\$787,157</u>
11	<u>EVANGELINE</u>	\$9,014,235	\$3,004,745
12	FRANKLIN	\$4,100,553	\$1,366,851
13	GRANT	\$2,996,249	<u>\$998,750</u>
14	<u>IBERIA</u>	\$15,000,000	\$5,485,411
15	<u>IBERVILLE</u>	\$15,000,000	\$10,000,000
16	<u>JACKSON</u>	\$2,334,131	<u>\$778,044</u>
17	<u>JEFFERSON</u>	\$15,000,000	\$10,000,000
18	JEFFERSON DAVIS	<u>\$5,318,676</u>	<u>\$1,772,892</u>
19	<u>LAFAYETTE</u>	\$15,000,000	\$10,000,000
20	<u>LAFOURCHE</u>	<u>\$15,000,000</u>	<u>\$6,119,490</u>
21	<u>LASALLE</u>	\$3,686,862	<u>\$1,228,954</u>
22	<u>LINCOLN</u>	\$8,279,452	<u>\$2,759,817</u>
23	LIVINGSTON	<u>\$13,489,157</u>	<u>\$4,496,386</u>
24	<u>MADISON</u>	\$3,868,362	<u>\$1,289,454</u>
25	<u>MOREHOUSE</u>	<u>\$4,726,058</u>	<u>\$1,575,353</u>
26	<u>NATCHITOCHES</u>	<u>\$6,077,027</u>	<u>\$2,025,676</u>
27	<u>ORLEANS</u>	\$15,000,000	\$10,000,000
28	<u>OUACHITA</u>	<u>\$15,000,000</u>	\$10,000,000
29	<u>PLAQUEMINES</u>	\$15,000,000	\$8,442,726
30	POINTE COUPEE	\$3,399,273	<u>\$1,133,091</u>
31	<u>RAPIDES</u>	\$15,000,000	\$10,000,000
32	RED RIVER	<u>\$1,421,703</u>	\$500,000
33	<u>RICHLAND</u>	\$5,095,444	<u>\$1,698,481</u>
34	<u>SABINE</u>	<u>\$2,046,475</u>	<u>\$682,158</u>
35	ST BERNARD	\$15,000,000	\$10,000,000
36	<u>ST CHARLES</u>	<u>\$15,000,000</u>	<u>\$10,000,000</u>

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ST HELENA	\$1,000,000	\$500,000
<u>ST JAMES</u>	\$15,000,000	\$10,000,000
ST JOHN THE BAPTIST	\$15,000,000	\$10,000,000
ST LANDRY	\$15,000,000	<u>\$8,013,535</u>
ST MARTIN	\$15,000,000	\$6,128,714
<u>ST MARY</u>	\$15,000,000	<u>\$7,325,494</u>
ST TAMMANY	\$15,000,000	\$10,000,000
TANGIPAHOA	\$15,000,000	\$7,294,402
TENSAS	\$1,000,000	\$500,000
TERREBONNE	\$15,000,000	\$8,835,679
UNION	\$1,428,985	\$500,000
VERMILION	\$4,236,873	\$1,412,291
VERNON	\$3,585,481	\$1,195,160
WASHINGTON	\$4,904,267	\$1,634,756
WEBSTER	\$9,632,542	\$3,210,847
WEST BATON ROUGE	\$15,000,000	\$10,000,000
WEST CARROLL	\$1,277,144	\$500,000
WEST FELICIANA	\$1,800,699	\$600,233
WINN	\$1,964,567	\$654,856

(5) A parish may elect to exempt ad valorem tax on items constituting business inventory at any time, in accordance with the provisions of this Subsection.

However, any parish electing to exempt business inventory from ad valorem tax on or after July 2, 2026, shall not receive a payment in accordance with Article VII Section 37 of the Constitution of Louisiana and R.S. 39:100.112.

(6) Property for which the exemption authorized in this Subsection has been claimed shall not be treated as taxable property for purposes of any subsequent reappraisals and valuation for millage adjustment purposes pursuant to R.S. 47:1719.

Any decrease in the total amount of ad valorem tax collected by a taxing authority as a result of the ad valorem exemption authorized in this Subsection shall be absorbed by the taxing authority and shall not create any additional tax liability for taxpayers in the taxing district as a result of any subsequent reappraisal and valuation or millage adjustment. Implementation of the exemption authorized in this

Subsection	shall	neither	trigger	nor	be	cause	for	a	reappraisal	of	property	or	an
adjustment	of mi	llages pi	ursuant	to R	.S.	47:171	<u> 19.</u>						

§1703.1. Permanent registration of homestead exemption; designated parishes

A. The tax assessor for the parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Bienville, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, Concordia, DeSoto, East Baton Rouge, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Jefferson, Jefferson Davis, Lafayette, Lafourche, LaSalle, Lincoln, Livingston, Morehouse, Natchitoches, Orleans, Ouachita, Pointe Coupee, Rapides, Red River, Richland, Sabine, St. Bernard, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Tensas, Terrebonne, Union, Vermilion, Vernon, Washington, Webster, West Baton Rouge, West Carroll, West Feliciana, and Winn shall provide a form to property owners within the parish for permanent registration for the benefits of the homestead exemption provided for in R.S. 47:1703 provided pursuant to Article VII, Section 34 of the Constitution of Louisiana.

\* \* \*

§1705. Information supplied to assessor and legislative auditor by tax recipient agencies; additional notices

\* \* \*

B.(1)(a) For any taxing authority with a governing authority membership which is elected by the voters, increases in the millage rate in excess of the rates established as provided by Article VII, Section 23(B) of the Constitution of Louisiana R.S. 47:1719, but not in excess of the prior year's maximum authorized millage rate may be levied by two-thirds vote of the total membership of a taxing authority without further voter approval but only after a public hearing held in accordance with the open meetings law.

(b)(i) Any taxing authority with a governing authority membership which is not elected by the voters may increase a millage rate in excess of the rates established as provided in Article VII, Section 23(B) of the Constitution of Louisiana R.S. 47:1719, but not in excess of the prior year's maximum authorized millage rate.

Such The increased millage shall also be limited to an amount which would increase the ad valorem taxes collected by the taxing authority by no more than two and one-half percent of the collections for the calendar year immediately preceding the year for which the increased millage rate is effective.

\* \* \*

- (2) In order to accomplish this result, the following shall be mandatory:
- (a) Each tax recipient body shall adopt an ordinance or resolution which shall set forth and designate the adjusted millage rate as required by Article VII, Section 23(B) of the Constitution of Louisiana R.S. 47:1719.
- (b) Each tax recipient body shall adopt another separate ordinance or resolution which shall provide for such the millage rate increases by two-thirds vote and shall set forth and designate not only the increased millage rate but also the adjusted millage rate as required in Subparagraph (a) above of this Paragraph and by Article VII, Section 23(B) of the Constitution of Louisiana R.S. 47:1719.
- (c)(i) In addition to any notice requirements provided for in Article VII, Section 23(C) of the Constitution of Louisiana R.S. 47:1719 and this Section, any tax recipient body which proposes to hold a public hearing in any tax year for the purpose of levying additional or increased millages on property without further voter approval shall publish, by the date provided for in Item (ii) of this Subparagraph, public notice of the date, time, and place of the hearing. The notice shall contain a statement that the tax recipient body intends to consider at the hearing levying additional or increased millage rates without further voter approval. It shall also contain the following information relating to the proposal for the increased millage sought under pursuant to the provisions of Paragraph (1) of this Subsection.

\* \* \*

(ii)(aa) The notice shall be published on two separate days, occurring no less than thirty days before the hearing date, in the official journal of the taxing authority, and in another newspaper with a larger circulation within the taxing authority than the official journal of the taxing authority, if there is one. On the first day of publication, the notice shall also be posted on the Internet website of the taxing

authority, if such taxing authority maintains an Internet website. The Internet posting shall remain active until such time as the taxing authority has taken action to approve or disapprove, or has abandoned action on, the proposed millage increase.

\* \* \*

(d) In addition to the requirements for publication provided for in this Subparagraph (c) of this Paragraph, the tax recipient body shall issue a press release to newspapers with substantial distribution within the parish of the tax recipient's jurisdiction and to area broadcast media.

\* \* \*

D. In order to carry out the mandate of Article VII, Section 23(B) of the Constitution of Louisiana R.S. 47:1719, the legislative auditor is hereby authorized and required to review the millages levied by each tax recipient body in each year that reassessment occurs to determine whether the millages levied are in compliance with the provisions of this Section and the constitution Constitution of Louisiana. The legislative auditor is also authorized and required to review the millages levied by each tax recipient body in each year in which an increase in millage is made by a two-thirds vote of the total membership of the taxing authority under the provisions of Article VII, Section 23(C) of the Constitution of Louisiana R.S. 47:1719, to determine whether the millage levied is in compliance with the provisions of this Section and the Constitution. The auditor shall order changes in the amount of millage levied if the auditor determines thereafter that a mathematical error or mathematical errors have been made in the calculation of the adjustment of millages as required by this Section and the Constitution of Louisiana R.S. 47:1719.

\* \* \*

§1707. Exemptions, agricultural machinery and implements, farm structures, and timber logging equipment; definition

For the purpose of applying the exemption from ad valorem taxation provided in Section 21 of Article VII of the Constitution of Louisiana R.S. 47:1703(A)(13), the term "agricultural machinery and other implements used exclusively for agricultural purposes" shall mean agricultural and horticultural

implements immediately and directly employed in cultivation, production, and harvest of crops or in the raising and management of livestock in use upon agricultural lands. The term also shall include machinery for soil preparation and cultivation, agricultural drills and planters, fertilizer spreaders, crop-dusting airplanes, harvesting and threshing machinery, hay or grass mowers except lawn mowers, farm wagons and carts, milking machines, farm structures, except a building used for a principal residence, on-farm equipment for the handling or drying of agricultural or horticultural products, and parts of any of the foregoing, all equipment utilized in the logging of timber whether used by the owner or lessor of the agricultural land or on a contractual service basis by someone other than the owner or lessor but shall exclude, except as otherwise provided herein, bulldozers, earth moving, and land-clearing equipment utilized in such agricultural activities on a contractual service basis by someone other than the owner or lessor of the agricultural lands involved.

#### §1707.1. Agricultural byproducts

For the purpose purposes of Section 21(C)(11) of Article VII of the Constitution of Louisiana the exemptions provided for in R.S. 47:1703(A)(13), the phrase "agricultural products while owned by the producer" shall include standing timber and the right to cut and use standing timber, whether held by the owner of the land or any other person.

§1708. Exemption for property leased to nonprofit organizations for the purpose of housing the homeless

For the purpose of applying the exemption from ad valorem taxation provided in Article VII, Section (21)(B)(1)(b) of the Constitution of Louisiana R.S. 47:1703(A)(2)(b), "term of the lease" shall mean the total length of the lease, including renewals at the option of lessees, that the lessor obligates property to a nonprofit corporation or association for use solely as housing for the homeless.

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8	17	10.	Homestead	exemption:	residential	lessees:	tax	credits

A. The purpose of this Section is to partially implement the provisions of Article VII, Section 20(B) of the Constitution of Louisiana relative to the providing of tax relief to residential lessees in order to provide equitable tax relief similar to that granted to homeowners through homestead exemptions.

B: For purposes herein of the homestead exemption provided for in the constitution, a residential lessee is defined as a person who owns and occupies a residence, including mobile homes, but does not own the land upon which the residence is situated.

E. B. A residential lessee shall be entitled to a credit against any ad valorem tax imposed relative to the residence property, in an amount equal to the amount of tax applicable on property with an assessed valuation of seven thousand five hundred dollars or the actual amount of tax, whichever is less, provided the residential lessee is not otherwise entitled to the homestead exemption.

\* \* \*

### §1712. Application procedure; special assessment level

Any person who qualifies for the special assessment level set forth in Article VII, Section 18(G) of the Constitution of Louisiana R.S. 47:1717 shall apply for the special assessment by completing an application form certifying his qualifications for the special assessment. Such The application may be submitted in person or by first class mail. The application form shall be designed by the tax commission Louisiana Tax Commission and shall be provided to every assessor in this state. The assessor shall not keep a copy of the applicant's federal or state income tax return or picture identification of the applicant for his records.

§1713. Special assessment level for certain trusts

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B.(1) If a trust would have been eligible for the special assessment level pursuant to this Section prior to the most recent reappraisal, the total assessment of the property held in trust shall be the assessed value on the last appraisal before the reappraisal.

1	(2) If a trust has remitted a payment at the higher assessment level and is
2	later determined to be eligible for the special assessment level pursuant to this
3	Subsection Paragraph, then upon a showing by the trust of eligibility, any payment
4	in excess of the special assessment level shall abate subsequent years' ad valorem
5	taxes on the property until the payment has been exhausted.
6	§1714. Exemption for property of a disabled veteran or a surviving spouse;
7	eligibility for certain trusts
8	A trust shall be eligible for the ad valorem tax exemption established under
9	Article VII, Section 21(K) of the Louisiana Constitution pursuant to R.S.
10	47:1703(A)(29) which provides an exemption for a disabled veteran or a surviving
11	spouse if all of the following apply:
12	(1) The settlor or settlors of the trust meet the conditions for eligibility
13	established under Article VII, Section 21(K) of the Louisiana Constitution pursuant
14	to R.S. 47:1703(A)(29).
15	* * *
16	(6) The settlor or settlors would have been eligible for the exemption
17	established under Article VII, Section 21(K) of the Louisiana Constitution R.S.
18	47:1703(A)(29) had they retained the naked ownership of the homestead.
19	§1715. Exemption for property of the surviving spouse of certain military personnel,
20	law enforcement and fire protection officers, and other first responders;
21	eligibility for certain trusts
22	A trust shall be eligible for the ad valorem tax exemption established under
23	Article VII, Section 21(M) of the Louisiana Constitution pursuant to R.S.
24	47:1703(A)(31) which provides an exemption for the surviving spouse of certain
25	persons who died while performing their duties as a member of the military, law
26	enforcement or fire protection officer, volunteer firefighter, medical responder,
27	technician, or paramedic as provided in the Louisiana Constitution, if all of the

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following apply:

1	(1) The settlor or settlors of the trust meet the conditions for eligibility
2	established under Article VII, Section 21(M) of the Louisiana Constitution pursuan
3	to R.S. 47:1703(A)(31).
4	* * *
5	(6) The settlor or settlors would have been eligible for the exemption
6	established under Article VII, Section 21(M) of the Louisiana Constitution pursuan
7	to R.S. 47:1703(A)(31) had they retained the naked ownership of the homestead.
8	§1716. Exemption for property of certain veterans with disabilities; applicability
9	The exemption provided for in Article VII, Section 21(K) of the Constitution
10	of Louisiana R.S. 47:1703(A)(29) shall apply to ad valorem property taxes due
11	beginning in tax year 2023, regardless of when property tax assessment rolls are
12	completed for tax year 2023.
13	§1717. Special assessment level
14	A.(1)(a) The assessment of residential property receiving the homestead
15	exemption which is owned and occupied by any of the following and who meet all
16	of the other requirements of this exemption shall not be increased above the total
17	assessment of that property for the first year that the owner qualifies for and receives
18	the special assessment level, provided the person or persons remain qualified for and
19	receive the special assessment level:
20	(i) People who are sixty-five years of age or older.
21	(ii) People who have a service-connected disability rating of fifty percent or
22	more by the United States Department of Veterans Affairs.
23	(iii) Members of the armed forces of the United States or the Louisiana
24	National Guard who owned and last occupied the property who are killed in action
25	or who are missing in action or are a prisoner of war for a period exceeding ninety
26	<u>days.</u>
27	(iv) Any person or persons permanently totally disabled as determined by a

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29

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regarding disability.

final nonappealable judgment of a court or as certified by a state or federal

administrative agency charged with the responsibility for making determinations

(b) Any person or persons shall be prohibited from receiving the special assessment as provided in this Section if the person's or persons' adjusted gross income, as reported in the federal tax return for the year prior to the application for the special assessment, exceeds one hundred thousand dollars. For persons applying for the special assessment whose filing status is married filing separately, the adjusted gross income for purposes of this Section shall be determined by combining the adjusted gross income on both federal tax returns. The one hundred thousand dollar limit shall be adjusted annually by the Consumer Price Index produced by the United States Department of Labor, Bureau of Labor Statistics.

- (c) An eligible owner or the owner's spouse or other legally qualified representative shall apply for the special assessment level by filing a signed application establishing that the owner qualifies for the special assessment level with the assessor of the parish or, in the parish of Orleans, the assessor of the district where the property is located.
- (d) An owner who is below the age of sixty-five and who has applied for and received the special assessment level may qualify for and receive the special assessment level in the subsequent year by certifying to the assessor of the parish that the person's adjusted gross income in the prior tax year satisfied the income requirement of this Section. The provisions of this Subparagraph shall not apply to an owner who has qualified for and received the special assessment level for a person sixty-five years of age or older or to the owner's surviving spouse as described in Subparagraph (B)(1)(a) of this Section or for an owner who is permanently totally disabled as provided for in Item (a)(iv) of this Paragraph.
- (2) Any millage rate applied to the special assessment level shall not be subject to a limitation.
- B. Provided the owner is qualified for and receives the special assessment level, the special assessment level shall remain on the property as long as:
- (1)(a) The owner who is sixty-five years of age or older, or that owner's surviving spouse who is fifty-five years of age or older or who has minor children, remains the owner of the property.

1	(b) The owner who has a service-connected disability of fifty percent or
2	more, or that owner's surviving spouse who is forty-five years of age or older or who
3	has minor children, remains the owner of the property.
4	(c) The spouse of the owner who is killed in action remains the owner of the
5	property.
6	(d) The first day of the tax year following the tax year in which an owner
7	who was missing in action or was a prisoner of war for a period exceeding ninety
8	days is no longer missing in action or a prisoner of war.
9	(e) Even if the ownership interest of any surviving spouse or spouse of an
10	owner who is missing in action as provided for in this Subsection is an interest in
11	usufruct.
12	(2) The value of the property does not increase more than twenty-five
13	percent because of construction or reconstruction.
14	C. A new or subsequent owner of the property may claim a special
15	assessment level when eligible pursuant to this Section. The new owner is not
16	necessarily entitled to the same special assessment level on the property as when that
17	property was owned by the previous owner.
18	D.(1) The special assessment level on property that is sold shall
19	automatically expire on the last day of December in the year prior to the year that the
20	property is sold. The property shall be immediately revalued at fair market value by
21	the assessor and shall be assessed by the assessor on the assessment rolls in the year
22	it was sold at the assessment level provided for in Article VII, Section 32 of the
23	Constitution of Louisiana.
24	(2) This new assessment level shall remain in effect until changed.
25	E.(1) Any owner entitled to the special assessment level set forth in this
26	Section who is unable to occupy the homestead on or before December thirty-first
27	of a future calendar year due to damage or destruction of the homestead caused by
28	a disaster or emergency declared by the governor shall be entitled to keep the special
29	assessment level of the homestead prior to its damage or destruction on the repaired
30	or rebuilt homestead provided the repaired or rebuilt homestead is reoccupied by the

owner within five years from December thirty-first of the year following the disaster. The assessed value of the land and buildings on which the homestead was located prior to its damage shall not be increased above its assessed value immediately prior to the damage or destruction described in this Paragraph. If the property owner receives a homestead exemption on another homestead during the same five-year period, the damaged or destroyed property shall not be entitled to keep the special assessment level, and the land and buildings shall be assessed in that year at the percentage of fair market value. In addition, the owner shall also maintain the homestead exemption set forth in the constitution to qualify for the special assessment level in this Paragraph.

(2) Any owner entitled to the special assessment level set forth in Paragraph (1) of this Subsection who is unable to reoccupy his homestead within five years from December thirty-first of the year following the disaster shall be eligible for an extension of the special assessment level on the homestead for a period not to exceed two years. A homeowner shall be eligible for this extension only if the homeowner's damage claim is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner has a damage claim filed and pending against the insurer of the property. The homeowner shall apply for this extension of the special assessment level with the assessor of the parish in which the homestead is located. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process or official documentation evidencing the homeowner has a damage claim filed and pending against the insurer of the damaged property.

(3) After expiration of the extension authorized in Paragraph (2) of this Subsection, an assessor shall have the authority to grant on a case-by-case basis up to three additional one-year extensions of the special assessment level.

F.(1) A trust shall be eligible for the special assessment
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(2) If a trust would have been eligible for the special assessment leve
pursuant to this Subsection prior to the most recent reappraisal, the total assessmen
of the property held in trust shall be the assessed value on the last appraisal before
the reappraisal.

#### §1718. Homestead Exemption

- A.(1) The exemption for a bona fide homestead as defined in the Constitution of Louisiana, shall be seven thousand five hundred dollars of the assessed valuation.
- (2) Any taxpayer entitled to the homestead exemption set forth in the Constitution of Louisiana must own and occupy the homestead on or before December thirty-first of the calendar year in which the exemption is claimed regardless of its homestead exemption status as of January first of the calendar year in which the homestead exemption is claimed.
- B. Orleans Parish. In the parish of Orleans, the status of real and personal property on the first day of August of each year, except as provided in Paragraph (A)(2) of this Section, shall determine its liability for exemption from taxation for the following calendar year.
- C.(1) Penalties for false statements. Any person who, either in his individual or representative capacity, knowingly makes any false statement or knowingly furnishes any false information in any affidavit or other document that he may present for the purpose of procuring or attempting to procure this tax exemption or benefit pursuant to the provisions of this Section, or who knowingly, for the purpose of securing the tax exemption, presents any affidavit or other document containing any false statement, or any person aiding, assisting or abetting any person in unlawfully and knowingly securing or attempting to secure any tax exemption, with knowledge of the false or illegal application or the false statement, shall be guilty of a misdemeanor punishable as provided in this Section.
- (2) Any assessor, deputy assessor, or other official, clerk or employee of the state or any of its political subdivisions, who knowingly reports, lists, or claims any

property on which exemption from taxes pursuant to Article VII, Section 34 of the Constitution of Louisiana and R.S. 47:1703 has been applied for, to be subject to a higher millage for taxation purposes than is the true millage applicable thereto, shall be guilty of a misdemeanor, punishable as provided in this Section.

- (3) Upon conviction for a violation of any of the provisions of this Subsection, the offender shall be punishable by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment of not less than one month, nor more than six months, or both.
- D. Undivided ownership. The exemption for a bona fide homestead, as provided for in Subsection A of this Section, when occupied by an heir in the direct line in undivided ownership shall be granted to the full extent provided no other homestead exemption is claimed by that person.
- E. For property damaged during a disaster or emergency, the following shall apply:
- or destroyed during a disaster or emergency declared by the governor whose owner is unable to occupy the homestead on or before December thirty-first of a calendar year due to damage or destruction shall be entitled to claim the exemption by filing with the assessor of the parish in which the homestead was located, an annual affidavit of intent to return and reoccupy the homestead within a period of five years from December thirty-first of the tax year in which the disaster occurred. In no event shall more than one homestead exemption extend or apply to any person in this state.
- (b) For a homestead qualifying for the homestead exemption pursuant to the provisions of this Paragraph, after expiration of the five-year period, the owner of a homestead shall be entitled to claim and keep the exemption for a period not to exceed two additional years by filing an annual affidavit of intent to return and reoccupy the homestead with the assessor within the parish where the homestead is situated. A homeowner shall be eligible for this extension only if the homeowner's damage claim to repair or rebuild the damaged or destroyed homestead is filed and pending in a formal appeal process with any federal, state, or local government

agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner has a damage claim filed and pending against the insurer of the property. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process or official documentation evidencing the homeowner has a damage claim filed and pending against the insurer of the property.

(c) After expiration of the extension authorized in Subparagraph (b) of this Paragraph, an assessor shall have the authority to grant up to three additional one-year extensions of the homestead exemption on a case-by-case basis. A homeowner shall only be eligible for an additional extension if the owner has made a good faith attempt to secure a contractor or builder to complete the needed repairs or reconstruction of the home but is unable to complete the project due to uncontrollable contractor or builder delays. In order to qualify for this extension, the homeowner shall provide to the assessor documentation evidencing good faith in attempting to secure a contractor or builder to complete the project.

(2)(a) Any owner entitled to the special assessment level set forth in R.S. 47:1717 who is unable to occupy the homestead on or before December thirty-first of a future calendar year due to damage or destruction of the homestead caused by a disaster or emergency declared by the governor shall be entitled to keep the special assessment level of the homestead prior to its damage or destruction on the repaired or rebuilt homestead provided the repaired or rebuilt homestead is occupied by the owner within five years from December thirty-first of the year following the disaster. The assessed value of the land and buildings on which the homestead was located prior to its damage shall not be increased above its assessed value immediately prior to the damage or destruction described in this Paragraph. If the property owner receives a homestead exemption on another homestead during the same five-year period, the damaged or destroyed property shall not be entitled to keep the special assessment level, and the land and buildings shall be assessed in that year at the percentage of fair market value set forth in the constitution. In addition, the owner

must also maintain the homestead exemption set forth in Article VII, Section 34 of the Constitution of Louisiana and this Section to qualify for the special assessment level set forth in R.S. 47:1717.

(b) Any owner entitled to the special assessment level as provided for in this Paragraph who is unable to reoccupy his homestead within five years from December thirty-first of the year following the disaster shall be eligible for an extension of the special assessment level on the homestead for a period not to exceed two years. A homeowner shall be eligible for this extension only if the homeowner's damage claim is filed and pending in a formal appeal process with any federal, state, or local government agency or program offering grants or assistance for repairing or rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner has a damage claim filed and pending against the insurer of the property. The homeowner shall apply for this extension of the special assessment level with the assessor of the parish in which the homestead is located. The assessor shall require the homeowner to provide official documentation from the government agency or program evidencing the homeowner's participation in the formal appeal process or official documentation evidencing the homeowner has a damage claim filed and pending against the insurer of the property.

(c) After expiration of the extension authorized in Subparagraph (b) of this Paragraph, an assessor shall have the authority to grant up to three additional one-year extensions of the special assessment level on a case-by-case basis. A homeowner shall only be eligible for an additional extension if the owner has made a good faith attempt to secure a contractor or builder to complete the needed repairs or reconstruction of the home but is unable to complete the project due to uncontrollable contractor or builder delays. In order to qualify for this extension, the homeowner shall provide to the assessor documentation evidencing good faith in attempting to secure a contractor or builder to complete the project.

HB NO. 11 <u>ENROLLED</u>

## §1719. Adjustment of Ad Valorem Tax Millages

A. Adjustments. Except as otherwise permitted in this Section, the total amount of ad valorem taxes collected by any taxing authority in the year in which the reappraisal and valuation provisions of Article VII, Section 32(F) of the Constitution of Louisiana are implemented shall not be increased or decreased because of a reappraisal or valuation or increases or decreases in the homestead exemption above or below the total amount of ad valorem taxes collected by that taxing authority in the year preceding implementation of the reappraisal and valuation. To accomplish this result, the provisions of millage adjustments pursuant to Article VII, Sections 32 and 34 of the Constitution of Louisiana and R.S. 47:1718 shall be mandatory. Thereafter, following implementation of each subsequent reappraisal and valuation required by Article VII, Section 32 of the Constitution of Louisiana, the millages as fixed in each such implementation shall remain in effect unless changed as permitted by Subsection B of this Section.

B. Increases Permitted. Nothing herein shall prohibit a taxing authority from collecting, in any subsequent year, a larger dollar amount of ad valorem taxes by levying additional or increased millages as provided by law or placing additional property on the tax rolls. Increases in the millage rate in excess of the rates established as provided by Subsection A of this Section but not in excess of the prior year's maximum authorized millage rate may be levied by two-thirds vote of the total membership of a taxing authority without further voter approval but only after a public hearing held in accordance with the open meetings law; however, in addition to any other requirements of the open meetings law, public notice of the time, place, and subject matter of such hearing shall be published on two separate days no less than thirty days before the public hearing. The public notice shall be published in the official journal of the taxing authority, and another newspaper with a larger circulation within the taxing authority than the official journal of the taxing authority, if there is one.

C. Implementation of the provisions of this Section shall neither trigger nor
be cause for a reappraisal of property or an adjustment of millages pursuant to
Subsection B of this Section.

D. Application. This Section shall not apply to millages required to be levied for the payment of general obligation bonds.

§1720. Business inventory; fair market value adjustment

- A.(1) For purposes of ad valorem taxation, a parish governing authority may elect to reduce the percentage of fair market value applicable to property considered business inventory. For purposes of this Section, the term "business inventory" shall have the same meaning as the term is defined in R.S.47:1702.
- (2) The reduction in the percentage of fair market value for business inventory shall only apply in parishes in which the sheriff, school board, and the parish governing authority elect to reduce the percentage of fair market value applicable to business inventory. However, the percentage of fair market value applicable to business inventory shall never be higher than the percentage applicable to business inventory pursuant to Article VII, Section 32(B) of the State Constitution.
- applicable to business inventory shall be evidenced in writing and shall be submitted to the Louisiana Tax Commission and the appropriate tax assessor within ten calendar days of the execution of the agreement between the sheriff, school board, and the parish governing authority to reduce the percentage of fair market value applicable to business inventory. The written documentation shall contain the new percentage of fair market value applicable to business inventory in the parish and shall indicate the taxable periods to which the reduced percentage shall apply. The Louisiana Tax Commission shall include all written notifications received from parishes indicating a reduction of the percentage of the fair market value applicable to business inventory in the commission's annual reports.

1	B. Any decrease in the total amount of ad valorem tax collected by a taxing
2	authority as a result of the reduction of the percentage of fair market value applicable
3	to business inventory authorized in this Section shall be absorbed by the taxing
4	authority and no additional tax liability for taxpayers in the taxing district shall be
5	created as a result of any subsequent reappraisal and valuation or millage adjustment.
6	Implementation of the reduction of the percentage of fair market value applicable to
7	business inventory authorized in this Section shall neither trigger nor be cause for a
8	reappraisal of property or an adjustment of millages pursuant to R.S. 47:1719.
9	Section 2. (A) The Louisiana State Law Institute is hereby authorized and directed
10	to renumber the Sections of Chapter 1 of Subtitle III of Title 47 of the Louisiana Revised
11	Statutes of 1950 as provided for in this Act as follows:
12	(1) Sections 1702, 1703, 1703.1, and 1704 shall be renumbered as 1701, 1703, 1705,
13	and 1706 respectively.
14	(2) Sections 1705, 1705.1, 1706, and 1707 shall be renumbered as 1707, 1709, 1710,
15	and 1711 respectively.
16	(3) Sections 1707.1, 1708, 1709, and 1710 shall be renumbered as 1712, 1713, 1714,
17	and 1715 respectively.
18	(4) Sections 1711, 1712, 1713, and 1714 shall be renumbered as 1716, 1717, 1718,
19	and 1719 respectively.
20	(5) Sections 1715, 1716, 1717, 1718, and 1719 shall be renumbered as 1720, 1721,
21	1702, 1704, and 1708 respectively.
22	(B) The Louisiana State Law Institute is hereby authorized and directed to correct
23	statutory references within Chapter 1 of Subtitle III of Title 47 of the Louisiana Revised
24	Statutes of 1950 including such references in statutory provisions reenacted by this Act.

1	Section 3. This Act shall take effect and become operative if and when the proposed
2	amendment of Article VII of the Constitution of Louisiana contained in the Act that
3	originated as House Bill No. 7 of this Third Extraordinary Session of the Legislature is
4	adopted at a statewide election and becomes effective.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

HB NO. 11

APPROVED: