

Regular Session, 2014

HOUSE BILL NO. 92

BY REPRESENTATIVE CONNICK

TAX/AD VALOREM TAX: (Constitutional Amendment) Increases the income limit for qualification for the special assessment level for property subject to ad valorem tax

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A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(ii) of the Constitution of Louisiana, relative to ad valorem tax assessments; to provide for the income limit for qualification for the special assessment level; to provide for submission of the proposed amendment to the electors; to provide for effectiveness; and to provide for related matters.

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 of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 18(G)(1)(a)(ii) of the Constitution of Louisiana, to read as follows:

§18. Ad Valorem Taxes

Section 18.

* * *

(G) Special Assessment Level.

(1)(a)

* * *

(ii) Any person or persons shall be prohibited from receiving the special assessment as provided in this Section if such person's or persons' adjusted gross income, as reported in the federal tax return for the year prior to the application for

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 the special assessment, exceeds ~~fifty~~ one hundred twenty-five thousand dollars. For
2 persons applying for the special assessment whose filing status is married filing
3 separately, the adjusted gross income for purposes of this Section shall be
4 determined by combining the adjusted gross income on both federal tax returns.
5 Beginning for the tax year 2001, and for each tax year thereafter, the ~~fifty thousand~~
6 ~~dollar limit~~ adjusted gross income shall be adjusted annually by the Consumer Price
7 Index as reported by the United States Government.

8 * * *

9 Section 2. Be it further resolved that the provisions of the amendment contained in
10 this Joint Resolution shall become effective on January 1, 2015 and shall be applicable to
11 taxable years beginning on and after such date.

12 Section 3. Be it further resolved that this proposed amendment shall be submitted
13 to the electors of the state of Louisiana at the statewide election to be held on November 4,
14 2014.

15 Section 4. Be it further resolved that on the official ballot to be used at the election,
16 there shall be printed a proposition, upon which the electors of the state shall be permitted
17 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
18 follows:

19 Do you support an amendment to change the income limit for qualification
20 for the special assessment level for property subject to ad valorem tax by
21 increasing the income limit from a federal adjusted gross income of fifty
22 thousand dollars to a federal adjusted gross income of one hundred twenty-
23 five thousand dollars? (January 1, 2015) (Amends Article 7, Section
24 18(G)(1)(a)(ii))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Connick

HB No. 92

Abstract: Increases the income limit for qualification for the special assessment level on property subject to ad valorem tax from a combined federal AGI of \$50,000 to a combined federal AGI of \$125,000.

Present constitution requires the assessment of property subject to ad valorem tax and provides for the percentages of valuation for each classification of property to be assessed.

Present constitution provides for a special assessment level for residential property receiving the homestead exemption if the owner meets both income and other specific requirements for qualification. The income limit is a combined annual federal adjusted gross income of no more than \$50,000, adjusted annually by the Consumer Price Index. The property of a person who meets both the income requirement and one of the following requirements qualifies for the special assessment level:

- (1) A person who is aged 65 or older.
- (2) A person with a service-connected disability rating of 50% or more per the U.S. Dept. of Veterans Affairs.
- (3) A person who is a member of the armed forces of the U.S. or the La. National Guard who owned and last occupied such property who is killed in action, is missing in action, or is a prisoner of war for a period exceeding 90 days.
- (4) A person permanently totally disabled as determined by a final nonappealable judgment of a court or as certified by a state or federal administrative agency charged with the responsibility for making determinations regarding disability.

Proposed constitutional amendment changes present constitution by increasing the income limit for qualification for the special assessment level from a combined federal adjusted gross income of \$50,000, as adjusted annually by the Consumer Price Index to a combined federal adjusted gross income of \$125,000, as adjusted annually by the Consumer Price Index.

Effective Jan. 1, 2015 and is applicable to taxable years beginning on and after such date.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2014.

(Amends Art. VII, §18(G)(1)(a)(ii))