

1 (B)(1) Notwithstanding any contrary provision of this constitution, including
2 Article VI, Sections 4 and 6, the legislature may provide by local law for the
3 incorporation of any area located within the boundaries of a single parish as a
4 municipality within such parish if the parish contains fewer than two incorporated
5 areas on January 1, 2016. The legislature may also provide, by local law, for the
6 exclusion of the area from the boundaries of any municipality. Such an exclusion
7 shall not be effective until the effective date of such incorporation and upon approval
8 by a majority of the electors residing in the newly incorporated area.

9 (2) The exemption provided by Article VII, §20(A)(9)(a) for general city
10 taxes shall not apply to property located in any municipality in the parish of Orleans
11 existing prior to or after the ratification of Subparagraph (1) of this Paragraph.

12 Section 2. Be it further resolved that this proposed amendment shall be submitted
13 to the electors of the state of Louisiana at the statewide election to be held on October 24,
14 2015.

15 Section 3. 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 authorize the legislature to provide, by
20 local law, for the incorporation of any area located within the boundaries of
21 a single parish as a municipality within such parish if the parish contains
22 fewer than two incorporated areas; to provide for the reincorporation of the
23 area within the boundaries of any existing municipality; and to provide
24 relative to the application of the homestead exemption to ad valorem taxes
25 in the city of New Orleans if a municipality is incorporated subsequent to
26 ratification of this amendment? (Amends Article VI, Section 2)

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)]

HB 235 Re-Reengrossed

2015 Regular Session

Arnold

Abstract: Authorizes the legislature to provide, by local law, for the incorporation of any area located within a single parish and to change the boundaries of any municipality affected by the incorporation, and removes application of the homestead exemption for general city taxes for property located in Orleans Parish

Present constitution provides that the legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. Provides that no local or special law shall create a municipal corporation, or amend, modify, or repeal a municipal charter. Present constitution provides, however, that a special legislative charter existing on the effective date of present constitution may be amended, modified, or repealed by local or special law.

Proposed constitutional amendment retains present constitution except authorizes the legislature to provide, by local law, for the incorporation of any area located within a single parish, if the parish contains fewer than two incorporated areas on Jan. 1, 2016, and to provide for the exclusion of the area from the boundaries of any existing municipality. Provides that such exclusion shall not be effective until the effective date of such incorporation and upon approval by a majority of the electors residing in the newly incorporated area.

Proposed law provides that the exemption from ad valorem taxes for general city taxes shall not apply to property located in any municipality in the parish of Orleans.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 24, 2015.

(Amends Const. Art. VI, §2)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Limit applicability to parishes containing fewer than two incorporated areas.
2. Remove application of the homestead exemption for general city taxes for property located in Orleans Parish.
3. Add technical changes to the ballot language.

The House Floor Amendments to the reengrossed bill:

1. Add a requirement that a majority of the electors residing in the newly incorporated area approve the exclusion of the area from the boundaries of an existing municipality prior to the exclusion becoming effective.