SLS 10RS-108 **ORIGINAL**

Regular Session, 2010

SENATE BILL NO. 24

BY SENATOR ALARIO

TAX/AD VALOREM. Constitutional amendment to limit the increase in the assessed value of real or immovable property upon reappraisal to the increase in the CPI except in certain circumstances. (1/1/11) (2/3 - CA13s1(A))

1	A JOINT RESOLUTION
2	Proposing to amend Article VII, Sections 18(A) and (F) of the Constitution of Louisiana,
3	relative to ad valorem taxation; to provide relative to changes in the assessed value
4	of real or immovable property; and to specify an election for submission of the
5	proposition to electors and provide a ballot proposition.
6	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7	elected to each house concurring, that there shall be submitted to the electors of the state, for
8	their approval or rejection in the manner provided by law, a proposal to amend Article VII,
9	Sections 18(A) and (F) of the Constitution of Louisiana, to read as follows:
10	ARTICLE VII
11	§18. Ad Valorem Taxes
12	Section 18.
13	(A) Assessments. Property subject to ad valorem taxation shall be listed on
14	the assessment rolls at its assessed valuation, which, except as provided in
15	Paragraphs (C), (F) and (G), shall be a percentage of its fair market value. The
16	percentage of fair market value shall be uniform throughout the state upon the same
17	class of property.

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2	(F) Reappraisal. (1) All property subject to taxation shall be reappraised and
3	valued in accordance with this Section, at intervals of not more than four years.
4	(2)(a) Whenever the provisions of this Paragraph are implemented, the
5	assessed value of real or immovable property shall not be increased by more
6	than the percentage change in the Consumer Price Index as provided by the
7	<u>United States government except as provided in Item (b) of this Subparagraph.</u>
8	(b) If ownership of the property changes from the last time the
9	provisions of this Paragraph have been implemented, the provisions of Item (a)
10	of this Subparagraph shall not apply and such property shall be reappraised
11	and assessed at the appropriate percentage of its fair market value as provided
12	in this constitution except when either of the following occurs:
13	(i) When the ownership of the property has changed due to a succession
14	wherein the property is inherited by the surviving spouse or a descendant of the
15	deceased in the direct descending line.
16	(ii) Where there is a change in ownership, but the prior owner retains the
17	benefits of the homestead exemption as provided in Section 20 of this Article.
18	* * *
19	Section 2. Be it further resolved that this proposed amendment shall become
20	effective on January 1, 2011.
21	Section 3. Be it further resolved that this proposed amendment shall be submitted
22	to the electors of the state of Louisiana at the statewide election to be held on November 2,
23	2010.
24	Section 4. Be it further resolved that on the official ballot to be used at said election
25	there shall be printed a proposition, upon which the electors of the state shall be permitted
26	to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
27	read as follows:
28	Prohibits the assessed value of real or immovable property from being
29	increased upon reappraisal by more than the percentage change in the

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Consumer Price Index as reported by the United States government except
when the ownership of the property has changed due to a succession wherein
the property is inherited by the surviving spouse or a descendant of the
deceased in the direct descending line or when there is a change in
ownership, but the prior owner retains the homestead exemption.

(Amends Article VII, Section 18(A) and (F))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

<u>Proposed constitutional amendment</u> provides that the assessed value of real or immovable property shall not be increased upon reappraisal by more than the percentage change in the CPI, except when the ownership of the property has changed due to a succession wherein the property is inherited by the surviving spouse or a descendant of the deceased in the direct descending line or when there is a change in ownership, but the prior owner retains the benefits of the homestead exemption.

Specifies submission of the amendment to the voters at the gubernatorial primary election to be held on November 2, 2010.

Effective January 1, 2011.

(Amends Const. Art. VII, Sec. 18(A) and (F))