

RULE 6.8(A) REPORT
OF THE HOUSE COMMITTEE ON CIVIL LAW AND PROCEDURE
ON HOUSE BILL NO. 448

May 22, 2017
Date

I. SUMMARY OF JOINT RESOLUTION

This report is for House Bill No. 448 of the 2017 Regular Session by Representative Abramson, proposing to amend Article VII, Section 21(B)(3) and to add Article VII, Section 21(B)(4) and (5) of the Constitution.

HB 448 establishes eligibility requirements for the exemption for property owned or leased by a nonprofit organization in Orleans Parish, authorizes adjustment of the status and extent of the exemption by the Orleans Parish governing authority, and requires downward adjustment of all affected millages to prevent any resulting increase in the amount of taxes collected.

II. CONCLUSION

The proposed measure cannot be accomplished statutorily.

HB 448 proposes to limit the existing eligibility for the ad valorem tax exemption in Orleans Parish for a nonprofit organization to property that is in use exclusively for the exempt purpose of the organization, and proposes to authorize adjustment of the extent of the tax exemption by the Orleans Parish governing authority, subject to voter approval, and requiring concurrent downward adjustment of millages to reflect any resulting changes in the tax base. Limiting the existing constitutional exemptions from ad valorem taxation would require a constitutional amendment.

III. OTHER PENDING MEASURES

Total joint resolutions introduced: 50

Total joint resolutions reported
by other standing committees: 18

HB 449 also proposes to amend Const. Art. VII, §21(B)(3) and to add Const. Art. VII, §21(B)(4) and (5), and would conflict with HB 448. HB 449 would apply in any parish, as compared to HB 448 which would apply only in Orleans Parish. Also, HB 448 contains an "exclusive use" limitation not found in HB 449.

IV. RECOMMENDATION

With Amendments X Without Amendments