
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Riley Boudreaux.

DIGEST

Present constitution provides a "special assessment level" "freezing" the assessment value of the homestead of the following people at the value of the homestead in the first year that such person qualifies for and receives the special assessment level:

1. People who are 65 or older.
2. People who have a service-connected disability rating of 50% or more by the U.S. Department of Veterans Affairs.
3. Members of the U.S. armed forces or the Louisiana National Guard who owned and last occupied the homestead who are killed in action, or who are missing in action or are a prisoner of war for a period exceeding 90 days.
4. Any person "permanently totally disabled" as determined by a final non-appealable judgment.

The special assessment level remains on the property as long as:

1. The owner who is 65 or older or the owner's surviving spouse who is 55 or older or who has minor children remains the owner of the property.
2. The owner who has a service-connected disability of 50% or more, or that owner's surviving spouse who is 45 or older or who has minor children, remains the owner of the property.
3. The spouse of the owner who is killed in action remains the owner of the property.
4. Until the first day of the tax year following the tax year in which an owner who was missing in action or was a prisoner of war for a period exceeding 90 days is no longer missing in action or a prisoner of war.

Present constitution prohibits a person from receiving the special assessment if his adjusted gross income reported on his federal tax return for the year prior to the application for the special assessment exceeds \$50,000, adjusted annually from 2001 by the CPI (now at \$64,655 for the 2009 Tax Year.)

Proposed constitutional amendment removes the income limit on the special assessment level of the following:

1. People 65 or older who are retired from the U.S. armed forces or the Louisiana National Guard.
2. People who have a service-connected disability rating of 50% or more by the U.S. Department of Veterans Affairs.
3. Members of the U.S. armed forces or the Louisiana National Guard who owned and last occupied the homestead who are killed in action, or who are missing in action or are a prisoner of war for a period exceeding 90 days.

Effective for Tax Year 2011 and thereafter.

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

(Amends Const. Art. VII, Sec. 18(G)(1)(a)(ii) and (iv))