HLS 19RS-663 ENGROSSED

2019 Regular Session

HOUSE BILL NO. 234

1

BY REPRESENTATIVE MIGUEZ

TAX/AD VALOREM-EXEMPTION: (Constitutional Amendment) Extends the advalorem tax exemption for raw materials, goods, commodities, and other property destined for the Outer Continental Shelf

A JOINT RESOLUTION

2	Proposing to amend Article VII, Section 21(D)(2) and (3) of the Constitution of Louisiana,
3	relative to ad valorem tax exemptions; to authorize an exemption for certain property
4	destined for the Outer Continental Shelf; to provide for certain definitions; to provide
5	for an effective date; to provide for submission of the proposed amendment to the
6	electors; and to provide for related matters.
7	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8	elected to each house concurring, that there shall be submitted to the electors of the state of
9	Louisiana, for their approval or rejection in the manner provided by law, a proposal to
10	amend Article VII, Section 21(D)(2) and (3) of the Constitution of Louisiana, to read as
11	follows:
12	§21. Other Property Exemptions
13	Section 21. In addition to the homestead exemption provided for in Section
14	20 of this Article, the following property and no other shall be exempt from ad
15	valorem taxation:
16	* * *
17	(D)
18	* * *
19	(2) Raw materials, goods, commodities, and other articles being held on the
20	public property of a port authority, on docks of any common carrier, or in a public

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	or private warehouse, grain elevator, dock, wharf, or public storage facility in this
2	state for export to a point outside the states of the United States. For purposes of this
3	Paragraph, "being held" shall include raw materials, goods, commodities and other
4	articles stored in Louisiana for maintenance or with a destination to the Outer
5	Continental Shelf.
6	(3) Goods, commodities, and personal property in public or private storage
7	while in transit through this state which are moving in interstate commerce through
8	or over the territory of the state or which are in public or private storage within
9	Louisiana, having been shipped from outside Louisiana for storage in transit to a
10	final destination outside Louisiana, whether such destination was specified when
11	transportation began or afterward. For purposes of this Paragraph, "storage while in
12	transit" shall include goods, commodities and personal property stored in Louisiana
13	for maintenance or with a destination to the Outer Continental Shelf.
14	* * *
15	Section 2. Be it further resolved that the provision of the amendment contained in
16	this Joint Resolution shall become effective December 1, 2019.
17	Section 3. Be it further resolved that this proposed amendment shall be submitted
18	to the electors of the State of Louisiana at the statewide election to be held on October 12,
19	2019.
20	Section 4. Be it further resolved that on the official ballot to be used at the election,
21	there shall be printed a proposition, upon which the electors of the state shall be permitted
22	to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
23	follows:
24	Do you support an amendment to exempt raw materials, goods, commodities,
25	personal property, and other articles stored in public and private warehouses
26	and destined for the Outer Continental Shelf from ad valorem taxes?
27	(December 1, 2019) (Amends Article VII, Section 21(D)(2) and (3))

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 234 Engrossed

2019 Regular Session

Miguez

Abstract: Extends the ad valorem tax exemption on raw materials, goods, commodities, personal property, and other articles stored in Louisiana, <u>to</u> include public *and private* warehouses and those items stored in La. for maintenance with a destination to the Outer Continental Shelf.

<u>Present constitution</u> authorizes a property exemption of ad valorem taxation on raw materials, goods, commodities, and other articles being held in La. for the purpose of being exported outside the states of the U.S.

<u>Proposed constitutional amendment</u> retains <u>present constitution</u> and defines "being held" to include storage for maintenance or goods, commodities, and other articles destined for the Outer Continental Shelf.

<u>Present constitution</u> provides for the storage of raw materials, goods, commodities, and other activities on certain property, including in warehouses.

<u>Proposed constitutional amendment</u> retains <u>present constitution</u> and specifies that the exemption applies to raw materials, goods, commodities, and other articles stored in public *and private* warehouses.

<u>Present constitution</u> authorizes a property tax exemption for goods, commodities, and personal property from outside Louisiana, stored in transit in public or private storage, with a final destination outside the state.

<u>Proposed constitutional amendment</u> retains <u>present constitution</u> and defines "storage while in transit" to include storage for maintenance or goods, commodities, and personal property destined for the Outer Continental Shelf.

Provides for submission of the proposed amendment to the voters at the statewide election to be held October 12, 2019.

Effective Dec. 1, 2019.

(Amends Const. Art. VII, §21(D)(2) and (3))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Ways and Means</u> to the original bill:

1. Remove the extension of the exemption to items that are being stored until they are ready to be used.