
DIGEST

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Alario

HB No. 70

Abstract: Establishes procedure for persons displaced by natural disaster to claim homestead exemption and special assessment level.

Proposed law provides that any homestead receiving the homestead exemption that is damaged or destroyed during a disaster or emergency declared by the governor whose owner is unable to occupy the homestead on or before December 31 of a future calendar year due to such damage or destruction shall be entitled to claim and keep the exemption by filing an affidavit of intent to return and reoccupy the homestead.

Proposed law provides the affidavit must be filed within five years from December 31 of the year following the disaster with the assessor prior to December 31 of the year in which the exemption is claimed.

Proposed law further provides that any owner entitled to the special assessment level who is unable to occupy the homestead on or before December 31 of a future calendar year due to damage or destruction of the homestead caused by a disaster or emergency declared by the governor shall be entitled to keep the special assessment level of the homestead prior to its damage or destruction on the repaired or rebuilt homestead provided the repaired or rebuilt homestead is reoccupied by the owner within five years from December 31 of the year following the disaster.

Proposed law provides that the assessed value of the land and buildings on which the homestead was located prior to its damage shall not be increased above its assessed value immediately prior to the damage or destruction.

Proposed law further provides if the property owner receives a homestead exemption on another homestead during the same five-year period, the damaged or destroyed property shall not be entitled to keep the special assessment level, and the land and buildings shall be assessed in that year at the percentage of fair market value set forth in the constitution.

Proposed law provides the owner must also maintain the homestead exemption set forth in Art. VII, §20(A)(10) to qualify for the special assessment level.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 47:1703(E))