

2026 Regular Session

HOUSE BILL NO. 961

BY REPRESENTATIVE FARNUM

TAX/AD VALOREM TAX: Extends eligibility to certain trusts for an ad valorem tax exemption for a property owner who is at least sixty-five years of age or older

1 AN ACT

2 To enact R.S. 47:1717, relative to ad valorem tax; to extend eligibility to certain trusts for  
3 the ad valorem tax exemption for property owners who are at least sixty-five years  
4 of age or older; to provide for certain requirements; to provide for applicability; to  
5 provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:1717 is hereby enacted to read as follows:

8 §1717. Exemption for property of a person who is at least sixty-five years of age or  
9 older or a surviving spouse; eligibility for certain trusts

10 A trust shall be eligible for the ad valorem tax exemption established  
11 pursuant to Article VII, Section 21(P) of the Constitution of Louisiana, which  
12 provides an exemption for a person who is at least sixty-five years of age or older or  
13 a surviving spouse of the owner, if all of the following apply:

14 (1) The settlor of the trust meets the conditions for eligibility established  
15 pursuant to Article VII, Section 21(P) of the Constitution of Louisiana.

16 (2) The settlor of the trust was the immediate prior owner of the homestead.

17 (3) The naked ownership of the homestead was transferred to the trust.

18 (4) The settlor retained a usufruct on the homestead.

19 (5) The settlor continues to occupy the homestead.

1           (6) The settlor would be eligible for the exemption established pursuant to  
2           Article VII, Section 21(P) of the Constitution of Louisiana had he retained the naked  
3           ownership of the homestead.

4           Section 2. The provisions of this Act shall apply to taxable years beginning on or  
5 after January 1, 2028.

6           Section 3. This Act shall become effective on January 1, 2028, but only if the  
7 proposed amendment of Article VII of the Constitution of Louisiana contained in the Act  
8 which originated as House Bill No. 514 of this 2026 R.S. of the Legislature is adopted at a  
9 statewide election and becomes effective.

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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)]

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HB 961 Original

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Farnum

**Abstract:** Extends eligibility for the ad valorem property tax exemption for a property owner who is at least 65 years of age or older to a trust when naked ownership of the homestead is held in trust.

Proposed constitutional amendment authorizes parishes and municipalities to extend an additional property tax exemption to property receiving the homestead exemption that is owned and occupied by a person who is at least 65 years of age or older and qualifies for the special assessment level.

Proposed constitutional amendment and proposed law extends eligibility for the exemption to certain trusts if the settlor of the trust meets the requirements of proposed constitutional amendment and of proposed law, including requiring the settlor to be the immediate prior owner of the homestead, to retain a usufruct on the homestead, and to occupy the homestead.

Proposed law applies to taxable years beginning on or after Jan. 1, 2028.

Effective Jan. 1, 2028, if and when the proposed amendment of Article VII of the Constitution of La. contained in the Act which originated as House Bill No. 514 of this 2026 R.S. of the Legislature is adopted at a statewide election and becomes effective.

(Adds R.S. 47:1717)