

Regular Session, 2011

HOUSE BILL NO. 385

BY REPRESENTATIVE HENDERSON

TAX EXEMPTIONS/HOMESTEAD: (Constitutional Amendment) Increases the homestead exemption and provides for adjustment of the exemption after reappraisal

A JOINT RESOLUTION

Proposing to amend Article VII, Section 20(A)(1) of the Constitution of Louisiana, relative to the homestead exemption; to increase the homestead exemption; to provide for adjustment of the homestead exemption after reappraisal; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 20(A)(1) of the Constitution of Louisiana, to read as follows:

§20. Homestead Exemption

Section 20.(A) Homeowners.

(1) The bona fide homestead, consisting of a tract of land or two or more tracts of land even if the land is classified and assessed at use value pursuant to Article VII, Section 18(C) of this constitution, with a residence on one tract and a field with or without timber on it, pasture, or garden on the other tract or tracts, not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person or persons owning the property in indivision, shall be exempt from state, parish, and special ad valorem taxes to the extent of ~~seven thousand five hundred~~ ten thousand dollars of the assessed valuation.

1 In the tax year following the year in which a statewide reappraisal of property
2 pursuant to Article VII, Section 18(F) of this constitution is conducted, the
3 homestead exemption shall be adjusted to reflect the change in the Consumer Price
4 Index for that year as reported by the United States Government; however, this
5 exemption shall never be less than ten thousand dollars. The same homestead
6 exemption shall also fully apply to the primary residence, including a mobile home,
7 which serves as a bona fide home and which is owned and occupied by any person
8 or persons owning the property in indivision, regardless of whether the homeowner
9 owns the land upon which the home or mobile home is sited; however, this
10 homestead exemption shall not apply to the land upon which such primary residence
11 is sited if the homeowner does not own the land.

* * *

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on October 22, 2011.

16 Section 3. Be it further resolved that this proposed amendment, if approved by the
17 electors, shall become effective on January 1, 2012.

Section 4. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

To increase the homestead exemption to ten thousand dollars; to provide that in the year following a statewide reappraisal of property, the homestead exemption shall be adjusted to reflect the change in the Consumer Price Index for that tax year; and to provide that in no event shall the homestead exemption be adjusted to less than ten thousand dollars. (Effective January 1, 2012) (Amends Article VII, Section 20(A)(1))

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)]

Henderson

HB No. 385

Abstract: Increases the homestead exemption from \$75,000 to \$100,000 and provides for adjustment of the exemption after a statewide reappraisal to reflect changes in the Consumer Price Index.

Present constitution provides for the annual levy of ad valorem taxes and the exemption from such taxation of homesteads and other property. The bona fide homestead is exempt from state, parish, and special ad valorem taxes up to \$75,000 of assessed valuation.

Proposed constitution changes the homestead exemption from \$7,500 to \$10,000.

Proposed constitutional amendment further provides that in the tax year following the year that a statewide reappraisal of property required by present constitution is conducted, the homestead exemption shall be adjusted by the Consumer Price Index as reported by the U.S. Government; however, the exemption shall never be less than \$10,000.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 22, 2011.

Effective Jan. 1, 2012.

(Amends Const. Art. VII, §20(A)(1))