

2016 Regular Session

HOUSE BILL NO. 629

BY REPRESENTATIVE LEGER

LEVEES: (Constitutional Amendment) Provides relative to the taxing authority of regional flood protection authorities

A JOINT RESOLUTION

Proposing to amend Article VI, Section 38.1(B) of the Constitution of Louisiana, relative to the taxing authority of regional flood protection authorities; to provide for the taxing authority of the board of commissioners of regional flood protection authorities; 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 VI, Sections 38.1(B) of the Constitution of Louisiana, to read as follows:

§38.1. Regional Flood Protection Authorities

Section 38.1.

* * *

(B) Authority-wide Tax. In addition to the taxes authorized to be levied by any levee district situated within the territorial jurisdiction of a regional flood protection authority, the board of commissioners of the authority may levy annually a tax not to exceed five mills on the dollar of the assessed valuation of all property not exempt from taxation situated within the territorial jurisdiction of the authority.

The necessity and the levy and rate of the tax, or any increase thereof, shall be subject to the provisions of Article VII, Section 20 of this Constitution and shall be subject to the provisions of Article VII, Section 21(F) of this Constitution ~~and shall~~

1 ~~be submitted to the electors within the authority, and the tax or increase shall take~~
2 ~~effect only if approved by:~~

3 ~~(1) A a majority of the electors voting thereon within that authority, and~~

4 ~~(2) Each of the parishes in that authority, by a majority of the electors voting~~
5 ~~thereon in each parish, in an election held for that purpose.~~

6 * * *

7 Section 2. Be it further resolved that this proposed amendment shall be submitted
8 to the electors of the state of Louisiana at the statewide election to be held on November 8,
9 2016.

10 Section 3. Be it further resolved that on the official ballot to be used at the election,
11 there shall be printed a proposition, upon which the electors of the state shall be permitted
12 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
13 follows:

14 Do you support an amendment that authorizes the board of commissioners
15 of a regional flood protection authority to levy annually a tax not to exceed
16 five mills on taxable property in the jurisdiction of the authority without the
17 approval of a majority of the electors? (Amends Article VI, Section 38.1(B))

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 629 Original

2016 Regular Session

Leger

Abstract: Authorizes the board of commissioners of a regional flood protection authority to levy an annual five mill property tax.

Present constitution authorizes the board of commissioners of a regional flood protection authority to levy annually a tax of the assessed valuation of all property not exempt from taxation situated within the territorial jurisdiction of the authority.

Present constitution provides tax increases approved by the governing authority only take effect upon a majority of the electors voting within the authority and a majority of the electors in each of the parishes in that authority in an election held for that purpose.

Proposed constitutional amendment changes present constitution by authorizing the board to levy an annual tax not to exceed five mills on the taxable property in the authority's jurisdiction.

Proposed constitutional amendment changes present constitution by removing the requirement of an approval of the majority of the electors within the authority and the majority of the electors in each parish of that authority in order to be effective.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2016.

(Amends Const. Art. VI, §38.1(B))