

2021 Regular Session

HOUSE BILL NO. 371

BY REPRESENTATIVE IVEY

TAX/AD VALOREM-MFG/EXEMP: (Constitutional Amendment) Authorizes local taxing authorities to enter into cooperative endeavor agreements for the purpose of authorizing payments in lieu of taxes

## A JOINT RESOLUTION

Proposing to add Article VII, Section 21(O) of the Constitution of Louisiana, relative to ad valorem taxes; to authorize local government taxing authorities to enter into cooperative endeavor agreements with owners of non-residential immovable property; to provide for a maximum term for the cooperative endeavor agreements; to provide for submission of the proposed amendment to the electors; 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 add Article VII, Section 21(O) of the Constitution of Louisiana, to read as follows:

## §21. Other Property Exemptions

Section 21. In addition to the homestead exemption provided for in Section 20 of this Article, the following property and no other shall be exempt from ad valorem taxation:

\* \* \*

(O) One or more local government taxing authorities within a parish may enter into a joint or separate cooperative endeavor agreement for payments in lieu of taxes with any owner of non-residential immoveable property located within the

1        parish. The agreement shall provide for payments in lieu of taxes. Any cooperative  
2        endeavor agreement authorized by this Paragraph shall be for a term not to exceed  
3        forty years. Enactment of any law to administer this Paragraph shall require a  
4        favorable vote of two-thirds of the elected members of each house of the legislature.

5        Section 2. Be it further resolved that this proposed amendment shall be submitted  
6        to the electors of the state of Louisiana at the statewide election to be held on November 8,  
7        2022.

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

12                    Do you support an amendment to allow local taxing authorities to enter into  
13                    agreements with owners of non-residential immovable property to provide  
14                    for payments in lieu of taxes and to require a two-thirds vote of the  
15                    legislature to enact laws related to the exemption? (Adds Article VII, Section  
16                    21(O))

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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 371 Original

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Ivey

**Abstract:** Authorizes local taxing authorities to enter into cooperative endeavor agreements for payments in lieu of taxes with owners of non-residential immovable property.

Present constitution provides an exclusive list of exemptions from ad valorem taxation.

Proposed constitutional amendment authorizes local ad valorem taxing authorities to enter into agreements for payments in lieu of taxes with owners of non-residential immovable property.

Proposed constitutional amendment provides that these agreements cannot have a term of greater than 40 years.

Proposed constitutional amendment provides that enactment of any law to administer proposed constitutional amendment requires a favorable vote of 2/3 of the elected members of each house of the legislature.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2022.

(Adds Const. Art. VII, §21(O))