



1A POSITIONS ON THE 2020 CONSTITUTIONAL AMENDMENTS

The Louisiana State Legislature advanced seven proposed Constitutional Amendments to the November 3 ballot. One Acadiana (1A) has taken positions in support of five of these proposals.



Constitutional Amendment No. 1

Do you support an amendment declaring that, to protect human life, a right to abortion and the funding of abortion shall not be found in the Louisiana Constitution?

Summary:

- Stipulates that nothing in the Constitution can be interpreted to protect or secure a right to abortion or require the funding of abortion

1A HAS **NO POSITION** ON AMENDMENT 1

Constitutional Amendment No. 2

Do you support an amendment to permit the presence or production of oil or gas to be included in the methodology used to determine the fair market value of an oil or gas well for the purpose of property assessment?

Summary:

- Louisiana's Constitution prohibits anything other than severance taxes from being levied on minerals (including oil and natural gas), which limits the ability for assessors to establish the appropriate value of an oil or gas well for property tax assessment
- Amendment 2 remedies this limitation by allowing the presence or production of oil or gas to be a factor in property tax assessment, which is the approach used by the majority of oil and gas producing states
- This represents a breakthrough agreement between the oil & gas industry and tax assessors

1A **SUPPORTS** AMENDMENT 2





Constitutional Amendment No. 3

Do you support an amendment to allow for the use of the Budget Stabilization Fund, also known as the Rainy Day Fund, for state costs associated with a disaster declared by the federal government?

Summary:

- Allows the Legislature to tap into the Rainy Day Fund in response to a federally declared disaster with a two-thirds vote of both the House and Senate
- Restricts the amount of funding available to one-third of the fund balance, not to exceed the state's costs associated with the disaster

1A **SUPPORTS** AMENDMENT 3

Constitutional Amendment No. 4

Do you support an amendment to limit the growth of the expenditure limit for the state general fund and dedicated funds and to remove the calculation of its growth factor from the Constitution?

Summary:

- Louisiana's Constitution sets an expenditure limit on state dollars that can be appropriated, and prescribes a growth factor for this limit to increase each year based on changes in average annual personal income
- Amendment 4 contains this growth rate to a maximum of 5% per year
- It also simplifies the Constitution by moving the formula for calculating the growth rate into statute
- The companion statute establishes a more realistic and conservative growth rate by adding new factors to the calculation, such as three-year GDP growth and population changes, based on formulas used in other states

1A **SUPPORTS** AMENDMENT 4



Constitutional Amendment No. 5

Do you support an amendment to authorize local governments to enter into cooperative endeavor ad valorem tax exemption agreements with new or expanding manufacturing establishments for payments in lieu of taxes?

Summary:

- Allows local government to negotiate directly with industry for payments in lieu of taxes (PILOTs) through a mutually agreed upon cooperative endeavor agreement (CEA)
- Limited to new or expanding manufacturing establishments that qualify for the Industrial Tax Exemption Program (ITEP)
- Provides a win-win economic development tool for local government to incentivize business investment while securing up-front payments from businesses to address immediate local needs
- Supported by the Louisiana School Boards Association, Police Jury Association, Sheriffs' Association, business organizations, and more

1A **SUPPORTS** AMENDMENT 5

Constitutional Amendment No. 6

Do you support an amendment to increase the maximum amount of income a person may receive and still qualify for the special assessment level for residential property receiving the homestead exemption?

Summary:

- Louisiana's Constitution provides various property tax breaks, including a property tax assessment "freeze" for certain groups of homeowners
- Currently, one assessment freeze applies to the homestead of persons age 65 and older, if the adjusted gross household income is below \$50,000 plus an annual adjustment for the Consumer Price Index (CPI), the current level of which is approaching \$75,000
- Amendment 6 increases the income threshold for the special assessment to \$100,000 plus CPI

1A **HAS NO POSITION** ON AMENDMENT 6



Constitutional Amendment No. 7

Do you support an amendment to create the Louisiana Unclaimed Property Permanent Trust Fund to preserve the money that remains unclaimed by its owner or owners?

Summary:

- Unclaimed Property (UP) is “lost” money, such as unclaimed bank accounts or insurance payments, which is held by the Treasury but can still be claimed by its rightful owner
- Since 1973, most UP funds not claimed by the owner have been swept into the State General Fund
- In recent years, however, the amount of UP returned to its owners has increased significantly due to new technologies and more robust public outreach, leaving the Treasury temporarily unable to pay for claims
- Amendment 7 creates the Louisiana Unclaimed Property (UCP) Trust Fund to preserve UP assets and prevent claims from going unpaid
- The principal of the UCP Trust Fund would be used solely for the payment of UP claims, while remaining funds would generate earnings through interest or investment income
- Effectively, this mechanism would both protect citizens’ UP money and create a new state revenue stream without raising taxes

1A **SUPPORTS** AMENDMENT 7