



PAR Guide to the 2022 **Constitutional Amendments**

An Independent, Nonpartisan Review

Support for this report was provided by
The Alta and John Franks Foundation and
The Collins C. Diboll Private Foundation.

Available at www.parlouisiana.org

**November 8 and
December 10 Elections**



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The Public Affairs Research Council of Louisiana (PAR) is an independent voice, offering solutions to public issues in Louisiana through accurate, objective research and focusing public attention on those solutions. PAR is a private, nonprofit research organization founded in 1950 and supported by membership contributions, foundation and corporate grants and special events.

For more information, media interviews or public presentation requests regarding this constitutional amendment guide, please contact PAR President Steven Procopio at Steven@parlouisiana.org.

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PAR Guide to the 2022 Constitutional Amendments



Voter Checklist November 8, 2022

YES NO

- Amendment 1**
"Do you support an amendment to increase to 65% the cap on the amount of monies in certain state funds that may be invested in stocks?"
- Amendment 2**
"Do you support an amendment to expand certain property tax exemptions for property on which the homestead exemption is claimed for certain veterans with disabilities?"
- Amendment 3**
"Do you support an amendment to allow classified civil service employees to support the election to public office of members of their own families?"
- Amendment 4**
"Do you support an amendment to allow local governments to waive water charges that are the result of damage to the water system not caused by the customer?"
- Amendment 5**
"Do you support an amendment to allow the levying of a lower millage rate by a local taxing authority while maintaining the authority's ability to adjust to the current authorized millage rate?"
- Amendment 6**
"Do you support an amendment to limit the amount of an increase in the assessed value of residential property subject to the homestead exemption in Orleans Parish following reappraisal at ten percent of the property's assessed value in the previous year?"
- Amendment 7**
"Do you support an amendment to prohibit the use of involuntary servitude except as it applies to the otherwise lawful administration of criminal justice?"
- Amendment 8**
"Do you support an amendment to remove the requirement that homeowners who are permanently totally disabled must annually re-certify their income to keep their special assessment level on their residences for property tax purposes?"

PAR Guide to the 2022 Constitutional Amendments



Voter Checklist December 10, 2022

YES NO

Amendment 1

"Do you support an amendment to provide that no person who is not a citizen of the United States shall be allowed to register and vote in this state?"

Amendment 2

"Do you support an amendment to make appointed members of the State Civil Service Commission subject to confirmation by the Louisiana Senate?"

Amendment 3

"Do you support an amendment to make appointed members of the State Police Commission subject to confirmation by the Louisiana Senate?"



INTRODUCTION

Voters face a hefty lift this year, asked to consider 11 proposed amendments to the Louisiana Constitution. Though it's not a record number, the list of amendments was long enough that lawmakers split them across the Nov. 8 and Dec. 10 ballots at the request of elections officials.

As if the large number wasn't enough, voters will have to do their homework to understand some of the arcane issues proposed, which range from trust fund stock investments and property tax changes to civil service regulations and Senate confirmation rules for certain gubernatorial appointees.

The Public Affairs Research Council of Louisiana (PAR), a nonpartisan educational and research organization, has provided detailed reports on the constitutional amendments set before voters over more than four decades.

This latest *PAR Guide to the 2022 Constitutional Amendments* reviews each proposal for the November and December ballots in the order they will appear before voters. The guide does not make recommendations about how to vote, but offers analysis and provides arguments of supporters and opponents of each proposal for voters to make their own decisions.

"Since voters ratified the Louisiana Constitution in 1974, they have been asked to decide 297 amendments, a number growing to 308 this year with the current crop of proposals."

The 11 amendments include five passed by lawmakers in the 2021 regular legislative session and six passed in the regular legislative session earlier this year. Each proposal had to receive a two-thirds favorable vote in the House and Senate to reach the ballot. Now, each amendment needs a majority vote at the polls to get enacted.

A constitution should offer the fundamental guiding principles of law, containing the essential elements of government organization, the basic principles of government powers and the enumeration of citizen rights. Statutory law should get into the weeds, providing the details of government operations and offering easier opportunities for change by lawmakers.

Since voters ratified the Louisiana Constitution in 1974, they have been asked to decide 297 amendments, a number growing to 308 this year with the current crop of proposals. That averages seven proposed amendments since the first round hit the ballot. So far, 203 changes have won approval from voters.

Year after year, lawmakers most frequently seek to amend Article VII, the money section. This year is no different. Six of the proposed amendments on the November ballot would tweak that section of the document.

PAR's website (parlouisiana.org) contains information about constitutional amendments, including analysis about every amendment since the 1974 Constitution was adopted. Further in-depth recommendations can be found in PAR's publications, *Louisiana Constitutional Reform PART I: Getting the Foundation Right* and *PART II: An Enduring Fiscal Framework*.

NOV. 8 ELECTION **AMENDMENT 1**

Larger Stock Investments for Trust Funds

**YOU
DECIDE**



A VOTE FOR WOULD

Let the state increase to 65% the maximum amount of money in seven different trust funds that can be invested in equities on the stock market.

A VOTE AGAINST WOULD

Keep tighter limits in place on the percentage of the trust funds' money that can be invested in the stock market, with some unable to be invested in equities at all.

CURRENT SITUATION

Louisiana has about \$3.2 billion contained in the seven trust funds included in this amendment, with limits on how those dollars can be invested to generate additional earnings. The two largest funds on the list, containing more than \$1.5 billion each, are the Kevin P. Reilly Sr. Louisiana Education Quality Trust Fund (LEQTF) and the Millennium Trust.

Investment income generated by the Louisiana Education Quality Trust Fund, created in 1986, is dedicated to education programs overseen by the Board of Elementary and Secondary Education and the Board of Regents. The treasurer currently can invest up to 35% of the money in the trust fund in equities.

Lawmakers created the Millennium Trust in 1999 to receive and invest proceeds from the state's settlement with tobacco companies to end litigation over the health effects of tobacco use. Investment earnings from the trust fund are spread across three sub-funds for health and education programs. The treasurer currently can invest up to 35% of the money in the trust fund in stocks, a figure that can be increased to no more than 50% if lawmakers agree with a two-thirds vote.

Five other funds included in the amendment have different limits on how their money can be used. Some have caps on the percentage of trust fund dollars that can be invested in the stock market while others are barred from stock investments at all.

PROPOSED CHANGE

The amendment would allow the state treasurer to increase to 65% the maximum amount of money that can be invested in stocks from the Louisiana Education Quality Trust Fund, the Millennium Trust, the Artificial Reef Development Fund, the Lifetime License Endowment Trust Fund, the Rockefeller Wildlife Refuge Trust and Protection Fund, the Russell Sage or Marsh Island Refuge Fund and the Medicaid Trust Fund for the Elderly.

ARGUMENT FOR

Increasing the trust funds' investments in the stock market could generate more earnings over the long-term to benefit health, education, wildlife and other programs that receive the money. Rigid investment caps have lessened available investment earnings, leaving the trust fund money to waste away in the bank without any usefulness to the state. The problem only worsens as inflation spikes. Changing the rules will allow the state Treasury Department to take advantage of market conditions and adapt as needed. Having different funds follow uniform rules could make investments easier to administer and lower investment costs.

ARGUMENT AGAINST

The stock market is volatile even in the best of financial times. Shifting more of the state's investment portfolio into stocks, rather than government bonds, certificates of deposit and other low-yield instruments exposes the trust funds to greater risk and loss possibilities in the short-term, depending on market conditions. That could leave less money available for important programs that rely on the investment earnings. Inflation is raising interest rates for safer investment streams while creating more uncertainty in the stock market.

Legal Citation: Act No. 130 (House Bill 154) by Rep. Jerome "Zee" Zeringue of the 2021 Regular Session amends Article VII, Sections 10.1(B), 10.8(B), 10.11(D), and 14(B).

Trust Fund Balances as of June 30 (rounded to nearest whole dollar)
Louisiana Education Quality Trust Fund: \$1,524,966,040
Millennium Trust: \$1,531,553,859
Artificial Reef Development Fund: \$18,734,438
Lifetime License Endowment Trust Fund: \$25,139,342
Rockefeller Wildlife Refuge Trust and Protection Fund: \$76,481,668
Russell Sage or Marsh Island Refuge Fund: \$19,264,477
Medicaid Trust Fund for the Elderly: \$17,910,966

(Source: Louisiana Department of Treasury)

NOV. 8 ELECTION **AMENDMENT 2**

Property Tax Exemptions for Veterans with Disabilities

**YOU
DECIDE**



A VOTE FOR WOULD

Increase the property tax exemption available to veterans with service-related disabilities and to their surviving spouses after the veteran's death.

A VOTE AGAINST WOULD

Maintain the current level of property tax exemption available to veterans with service-related disabilities and to their surviving spouses.

CURRENT SITUATION

Louisiana authorizes homeowners to receive an exemption from most parish property taxes up to \$75,000 of the value of the homestead if they live in the home. Parish governing authorities have the option to ask voters to double the exemption in their parishes for disabled veterans with a 100% service-connected disability rating or a 100% unemployability rating and for surviving spouses of deceased veterans if the spouse remains the owner of the property. The homestead exemption is now \$150,000 for those who qualify in the parishes that voted to adopt the change. The state prevents parishes and other local taxing bodies from imposing additional taxes, reappraising property or adjusting millages to make up the losses from the exemption.

PROPOSED CHANGE

The amendment would increase the property tax exemption for disabled veterans with a 100% service-connected disability rating or a 100% unemployability rating and their spouses and would expand the homestead exemption to cover more disabled veterans, on a sliding scale based on the level of disability.

Those who have a 100% service-connected disability rating or a 100% unemployability rating from the U.S. Department of Veterans Affairs and their spouses would receive an exemption from paying any parish property taxes on their homestead if they live in the home. Veterans with service-connected disability ratings of 70% to 99% and their spouses would get a property tax exemption up to \$120,000 of the value of the homestead, while veterans with service-connected disability ratings of 50% to 69% and their spouses would get a property tax break up to \$100,000 of the homestead's value.

The changes wouldn't require parish governing authorities to seek voter approval in their individual parishes if the amendment is adopted statewide. The state would continue to prevent parishes and other local taxing bodies from imposing additional taxes, reappraising property or adjusting millages to make up the losses from the exemption.

ARGUMENT FOR

Expanding the property tax exemption honors the sacrifice made by Louisiana's veterans and their spouses to protect our country. They and/or their surviving family members may have a difficult time supporting their households after losing a substantial portion of their annual income and the veteran's ability to maintain a job.

ARGUMENT AGAINST

Special property tax breaks that have been granted over the years erode the tax revenue available to local government agencies that provide services. This will worsen the revenue drain. It will create an uneven and inequitable taxing system, where neighbors with houses of similar value could pay vastly different property tax bills. While no single exemption is a significant problem, the trend toward creating more and expanding these exceptions adds up and shifts the tax burden to fewer taxpayers.

Legal Citation: Act No. 172 (House Bill 599) by Rep. Beau Beaullieu of the 2022 Regular Session amends Article VII, Section 21(K).

Service-Connected Disabilities and Property Tax Exemptions	
Level of Disability	Current Exemptions (with local approval)
100% Service-Connected Disability	Up to \$150,000
100% Unemployability	Up to \$150,000
Level of Disability	Proposed Exemptions (all parishes)
100% Service-Connected Disability	Total Exemption
100% Unemployability	Total Exemption
70% to 99% Service-Connected Disability	Up to \$120,000
50% to 69% Service-Connected Disability	Up to \$100,000

NOV. 8 ELECTION **AMENDMENT 3**

Political Activity for Civil Service Workers When Family Members Run for Office

**YOU
DECIDE**



A VOTE FOR WOULD

Allow most of Louisiana's civil service employees to support certain campaign activities of a candidate for public office when that candidate is an immediate family member.

A VOTE AGAINST WOULD

Continue the current prohibition on Louisiana's civil service employees participating in campaign activities or supporting candidates for public office.

CURRENT SITUATION

Louisiana prohibits members of a state or local civil service commission and state and local government employees in the civil service system, known as classified workers, from participating in political activities, including actively supporting or opposing candidates or political parties in elections. They cannot run for public office; be a member of a political party committee; work on campaigns or for a political party; attend fundraising events for a candidate or political party; or make or solicit contributions for a political party or candidate. They can vote in elections, work as poll commissioners and attend free events open to the public where all candidates are invited to speak. They are allowed some participation in photos and fundraising events if a spouse is running for office.

PROPOSED CHANGE

The amendment would let members of a state or local civil service commission and state and local government employees in the civil service system attend campaign events and appear in campaign advertisements and photographs for immediate family members during off-duty hours. Immediate family is defined as a parent, stepparent, grandparent, step-grandparent, spouse, spouse's parent or stepparent, child and child's spouse, stepchild and stepchild's spouse, grandchild and grandchild's spouse, step-grandchild and step-grandchild's spouse, sibling and sibling's spouse, step-sibling and step-sibling's spouse and half-sibling and half-sibling's spouse. Prohibitions on donating to campaigns and soliciting campaign contributions will remain, including for family members. All political activity will stay banned for employees in local registrars of voters' offices and civil service employees in the elections division of the Secretary of State's Office. More than 51,000 workers would be impacted by the change, according to the Louisiana Civil Service League.

ARGUMENT FOR

People, no matter their jobs, should be able to support family members if they are running for political office. Candidates, no matter what jobs their family members hold, should be able to have relatives in campaign photos showcasing their families and at campaign events. Limits on First Amendment rights to freedom of speech should be as narrowly tailored as possible.

ARGUMENT AGAINST

The prohibitions on political activity for civil service workers were enacted to protect taxpayers financing the salaries of the employees, to curb inappropriate acts by employees who are supposed to do their work in a nonpartisan fashion and to protect the workers from political retaliation and undue influence. Eliminating those guardrails, even for family members, opens the door to abuse

and public perception problems. The definition of immediate family member is broad, covering a dozen categories of people. The categories of workers receiving the exemptions are expansive even though complaints about curbs on political activity involving family generally center on civil service workers who are police officers and firefighters.

Legal Citation: Act No. 156 (House Bill 315) by Rep. Jonathan Goudeau of the 2021 Regular Session amends Article X, Sections 9 and 20.



NOV. 8 ELECTION **AMENDMENT 4**

Waiving Charges for Water Use if Infrastructure Damaged

**YOU
DECIDE**



A VOTE FOR WOULD

Let local water districts, municipalities or other political subdivisions reduce customer bills for water use if the charges stem from water lost due to damage outside a customer's control.

A VOTE AGAINST WOULD

Keep local water districts, municipalities and other political subdivisions from lowering bills or waiving customer charges for water use in almost all circumstances.

CURRENT SITUATION

Louisiana prohibits the state, local government agencies and other political subdivisions from loaning, pledging or donating money, credit, property or things of value to a person or business, with some specific exceptions. The prohibition covers agencies and boards that oversee public water systems, barring them from lessening charges on customer bills, including charges that occurred because of water line breaks or other infrastructure problems. The water systems can offer payment plans. Opinions from the Attorney General's Office have suggested water system administrators have some ability to address charges caused by leaks during natural disasters, but questions have been raised about the constitutionality of those opinions.

PROPOSED CHANGE

The amendment would allow political subdivisions to waive water use charges if those charges happened due to damage to water delivery infrastructure that wasn't caused by a customer's action or failure to act.

ARGUMENT FOR

Water system administrators should have flexibility to help customers if bills were improperly increased by damage out of the control of a customer, such as infrastructure problems caused during an ice storm, flood or other disaster. Many other states offer that flexibility to their water utilities. The waivers are permissive, not required.

ARGUMENT AGAINST

Allowing widespread waivers of customer charges undermines system sustainability, taking away much-needed money from systems already struggling with outdated infrastructure. Changing the prohibition makes system administrators more vulnerable to outside political pressure. Water system administrators can offer payment plans to deal with hefty charges.

Legal Citation: Act No. 155 (House Bill 59) by Rep. Jeremy LaCombe of the 2021 Regular Session amends Article VII, Section 14(B).

NOV. 8 ELECTION **AMENDMENT 5**

Local Authority Over Property Tax Rates

YOU DECIDE



A VOTE FOR WOULD

Give local taxing bodies more time to decide if they want to “roll forward” millages that increase property taxes paid by businesses and homeowners.

A VOTE AGAINST WOULD

Keep the rules governing millage “roll forwards” the same, giving local taxing bodies until the next property reappraisals to make the decision.

CURRENT SITUATION

Property taxes are levied in millages applied to the assessed value of the property. One mill is equal to one-tenth of 1% of assessed value, or \$1 on each \$1,000 of assessed value. The Louisiana Constitution requires that all property be reappraised at least every four years and that millages be adjusted (rolled forward or rolled back) following reassessment so that tax collections stay the same as in the previous year, despite changes in property values or homestead exemptions. However, taxing bodies are allowed to restore rolled-back millages partially or fully by enacting a roll-forward, limited to the prior year’s “maximum authorized millage rate.”

Taxing bodies can include mosquito abatement districts, fire districts, school systems, library systems, cities and other local elected or appointed governing authorities.

The millage roll-forward must be approved by a two-thirds vote of the members of the taxing body following a public hearing and does not require further voter approval. These maximum rates remain in effect until the next reassessment. A taxing body may enact a partial roll-forward in each or any year prior to the next reassessment if it does not exceed the established maximum rate. If the taxing authority doesn’t enact the roll-forward before the next reassessment, the maximum millage rate available to it drops to the millage level used at the time of the reassessment. There is no limit on the amount of tax collections a roll-forward can generate.

These millage adjustment provisions do not apply to millages assessed to repay bonds, which are automatically adjusted each year to provide only the fixed dollar amount needed for debt payments.

PROPOSED CHANGE

The amendment would let taxing bodies roll forward their millage rates up to the maximum rate until that authorized millage rate expires, rather than until the next reassessment cycle of property. Expiration dates vary, but typically millage rates are enacted for longer periods than a four-year assessment cycle.

ARGUMENT FOR

Many taxing districts automatically choose to roll forward their millage rates to the maximum allowable because they fear losing the decision-making ability in the future after another property reassessment. The use-it-or-lose-it aspect of a millage rate means homeowners and businesses pay higher property taxes in the short-term than they might otherwise pay if the taxing bodies had more time to make those financial decisions. Taxing authorities should have more time to decide if they’ll need the increased tax revenue.

ARGUMENT AGAINST

Taxing districts have enough time under the current system to make budgetary decisions about whether they need the full millage rate authorized for them. They shouldn't be allowed to roll forward millage rates for years on end, a situation that would increase property tax payment uncertainty for homeowners and businesses.

Legal Citation: Act No. 133 (Senate Bill 154) by Sen. Gary Smith of the 2021 Regular Session amends Article VII, Section 23(C).



NOV. 8 ELECTION **AMENDMENT 6**

Property Tax Assessment Increases in Orleans Parish

YOU DECIDE



A VOTE FOR WOULD

Limit increases in the property tax liability of homes subject to homestead exemption in Orleans Parish, capping the reassessment increase to 10% of the residential property's assessed value in the previous year.

A VOTE AGAINST WOULD

Continue the current system, which requires a four-year phase-in of tax liability for homes subject to the homestead exemption when a reappraisal increases assessments by more than 50%.

CURRENT SITUATION

All property subject to taxation in Louisiana is constitutionally required to be reassessed at least every four years. Assessors determine the value of properties, other local authorities such as parish councils determine the millage rates applied to the assessments and the local tax collector sends out notices and collects the property taxes owed. Increases in assessments result in owners paying higher property taxes unless taxing authorities lower the millage rates. Under a constitutional amendment adopted by voters in 2018, the state currently requires a four-year phase-in of tax liability for homes subject to the homestead exemption if a reappraisal increases assessments by more than 50%.

PROPOSED CHANGE

Once a residential property in Orleans Parish that qualifies for Louisiana's homestead exemption is reassessed, the amendment would limit the increase in the reassessed value to 10% over the previous year for purposes of property taxation. Those 10% increases would continue each year until reaching the full fair market value. That would lessen hefty increases in property tax caused by rising home values, forcing those higher costs to be phased in over a slower period.

The 10% cap wouldn't apply if a property is sold or transferred to another owner, and it wouldn't apply to reassessment increases tied to new construction on the home or improvements to the property. Those would be assessed at fair market value for determining the property taxes owed. For an understanding of the possible impact, a financial analysis of the proposed amendment said 7,021 properties in Orleans Parish in the 2021 tax year were subject to the homestead exemption and had an assessed value of more than 10% over the previous year's assessed value.

Any resulting negative impact on property tax revenue in New Orleans must be absorbed by the taxing entity and couldn't be used to create additional tax liability for other taxpayers in the parish. The cap on annual increases would apply only in Orleans Parish starting in 2023, not the state's other 63 parishes. The current requirement for a four-year phase-in of tax liability for homes if a reappraisal increases assessments by more than 50% would continue to apply outside of New Orleans.

ARGUMENT FOR

Owning a home is becoming increasingly unaffordable in New Orleans, a problem that has grown since Hurricane Katrina. Through no fault of their own, some homeowners can receive large increases in their property tax bills because the surrounding neighborhood has surged in value, more people are moving into the area from elsewhere or some neighbors are using their homes as short-term rentals available through online hubs such as Airbnb. The annual 10% cap on reassessed value gives homeowners the time to adjust to higher payments and eases the sticker shock of large

reassessments. This can help people from being pushed out of their homes and neighborhoods because they can't keep up with their property tax increases by giving them more time to prepare and budget for the rising bills. At least 18 states have limited how much property assessments can grow annually, according to the Tax Foundation. This will have no effect outside of Orleans Parish.

ARGUMENT AGAINST

Special property tax breaks that have been granted over the years erode the tax revenue available to local government agencies that provide services. This could lower revenue collections in Orleans Parish, which already is struggling to maintain services. It will create an uneven and inequitable taxing system in the parish, where neighbors with houses of similar value could pay vastly different property tax bills. Though concerns were raised about high property tax bills forcing out middle-class people who have lived in homes for years or generations, the amendment isn't limited to those homeowners and could apply to a wealthy homeowner who has lived in a property for a shorter period of time. The change sweeps in those who can afford to pay the property tax increases.

Legal Citation: Act No. 129 (House Bill 143) by Rep. Matthew Willard of the 2021 Regular Session amends Article VII, Section 18(F)(2)(a)(introductory paragraph) and adds Article VII, Section 18(F)(3).



NOV. 8 ELECTION **AMENDMENT 7**

Limits on Involuntary Servitude

**YOU
DECIDE**



A VOTE FOR WOULD

Rework the state constitutional ban on slavery and involuntary servitude, allowing their use only for the “lawful administration of criminal justice.”

A VOTE AGAINST WOULD

Keep the state’s current constitutional language banning slavery and involuntary servitude, but allowing involuntary servitude as a “punishment for crime.”

CURRENT SITUATION

The Louisiana Constitution prohibits slavery and involuntary servitude in the state, with an exception allowing involuntary servitude when convicted as a punishment for crime. The U.S. Constitution, through the 13th Amendment ratified in 1865, also has similar language. The federal document declares: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

PROPOSED CHANGE

The amendment would revise the constitutional language involving the allowance of slavery and involuntary servitude in Louisiana. Instead of saying involuntary servitude could be used as a punishment for crime, the change would allow slavery and involuntary servitude for the “otherwise lawful administration of criminal justice.”

SPECIAL NOTE

The amendment was rewritten after the bill was introduced. The rewritten language has been interpreted in different ways, with varying implications. Those conflicting interpretations have raised concerns from the bill sponsor, who said his intent was to restrict the use of involuntary servitude, not broaden it, and who said he intends to oppose the amendment.

ARGUMENT FOR

The current provision is antiquated and tied to Louisiana’s history of slavery, segregation and convict leasing. The new language creates a set of circumstances when involuntary servitude is allowed. Many other states don’t have the language in their constitutions at all and have found ways to allow prison labor.

ARGUMENT AGAINST

The new language is ambiguous and doesn’t change anything about prison conditions and allowance of prison labor. The revisions could be interpreted to broaden the allowed uses of slavery and involuntary servitude in the criminal justice system. The rewrite is unnecessary because the U.S. Constitution already outlaws slavery and involuntary servitude except for those convicted of crimes.

Legal Citation: Act No. 246 (House Bill 298) by Rep. Edmond Jordan of the 2022 Regular Session amends Article I, Section 3.

NOV. 8 ELECTION **AMENDMENT 8**

Property Tax Assessments for Certain People with Disabilities

YOU DECIDE



A VOTE FOR WOULD

Remove the requirement that certain property owners with disabilities annually certify their income to receive a property tax rate freeze.

A VOTE AGAINST WOULD

Continue the annual income certification required for certain property owners with disabilities to receive a property tax rate freeze.

CURRENT SITUATION

The Louisiana Constitution provides many special property tax breaks for people depending on their status. More than 194,000 homes received special assessments in the most recent year for which data is available from the Louisiana Tax Commission. Among those special assessment levels, property tax rates are frozen and don't increase for homeowners of certain income levels who are age 65 or older; certain military veterans; people who are permanently and totally disabled; and the surviving spouses of each. Only primary residences that qualify for the homestead exemption are eligible for the freeze. The freeze is on the assessment of the value of the home, not on the final calculation of the tax bill. To be eligible for the property tax rate freeze, the taxpayer's adjusted gross income cannot be more than \$100,000, a number that will be adjusted for inflation according to the Consumer Price Index starting in the 2026 tax year. To keep the tax rate freeze, everyone but those 65 and older must recertify their income yearly with the assessor.

PROPOSED CHANGE

The amendment would remove the annual income recertification requirement for those who receive the property tax rate freeze because they are permanently and totally disabled and their spouses. They wouldn't have to confirm their income level yearly with the assessor.

ARGUMENT FOR

People with permanent and total disabilities deserve the same treatment as those who are 65 and older for the property tax rate freeze. Making people who are totally disabled recertify their incomes annually is an unnecessary burden.

ARGUMENT AGAINST

Special property tax breaks that have been granted over the years erode the tax revenue available to local government agencies that provide services and shifts the tax burden to fewer taxpayers. Requiring people who receive special assessment levels to recertify their income serves as an important check and balance to ensure they continue to meet the criteria.

Legal Citation: Act No. 171 (House Bill 395) by Rep. Matthew Willard of the 2022 Regular Session amends Article VII, Section 18(G)(1)(a)(iv).

DEC. 10 ELECTION AMENDMENT 1

Prohibit Voting for People Who Aren't U.S. Citizens

**YOU
DECIDE**



A VOTE FOR WOULD

Ban people who aren't United States citizens from registering to vote or casting ballots in Louisiana elections.

A VOTE AGAINST WOULD

Keep current language governing voting rights, which requires a person to be a Louisiana citizen to register to vote or cast ballots in elections.

CURRENT SITUATION

The Louisiana Constitution requires a person to be at least 18 years old and a citizen of the state to register to vote and cast a ballot in its elections, with some exceptions. (Beyond those qualification standards, the law bars from voting and registering to vote those who are declared mentally incompetent, who are under an order of imprisonment for certain election offenses or who have been convicted of a felony and have been incarcerated within the last five years.) Louisiana's election code requires people applying to register to vote to attest that they are United States citizens. Federal law prohibits non-citizens from voting in federal elections.

PROPOSED CHANGE

The amendment would add language to the state constitution requiring people to be citizens of the United States to register to vote and cast a ballot in Louisiana elections.

ARGUMENT FOR

Some municipalities in other states have allowed non-U.S. citizens to vote in their local elections. This amendment closes a possible loophole and adds clarity in the Louisiana Constitution, preventing a local governing authority in the state from trying to change the rules to allow people who aren't United States citizens to register to vote and cast ballots.

ARGUMENT AGAINST

The amendment is unnecessary because Louisiana doesn't allow people who aren't United States citizens to vote in state elections, requiring those who register to vote to attest that they are citizens. No local governing authority in the state has tried to let non-U.S. citizens register to vote. Only the Louisiana Legislature can write voting laws, so municipalities don't have the ability to change the rules to allow people who aren't citizens to vote.

Legal Citation: Act No. 279 (House Bill 178) by Rep. Debbie Villio of the 2022 Regular Session amends Article I, Section 10.

DEC. 10 ELECTION **AMENDMENT 2**

Senate Confirmation of Civil Service Commission Members

YOU DECIDE



A VOTE FOR WOULD

Require Louisiana Senate confirmation of the governor's appointees to the State Civil Service Commission.

A VOTE AGAINST WOULD

Continue to let the governor appoint members to the State Civil Service Commission without needing confirmation of those choices from the Louisiana Senate.

CURRENT SITUATION

The State Civil Service Commission is a seven-member board that oversees the administration of rules governing personnel activities for state employees in the civil service system and hears appeals of decisions and disciplinary issues from state workers and agencies. Six of the commission's members are appointed by the governor, chosen from nominees submitted by presidents of major private universities across the state (Centenary College, Dillard University, Louisiana Christian University, Loyola University, Tulane University and Xavier University.) Each president submits three nominees, and the governor picks one from each list. The seventh commission member is elected by classified state employees. At least one appointed member must be from each of Louisiana's congressional districts. Members serve six-year terms.

PROPOSED CHANGE

The amendment would require the state Senate to confirm the six gubernatorial appointees to the commission.

ARGUMENT FOR

Giving state senators the chance to question and vet the qualifications of the six gubernatorial appointees to the commission offers a layer of checks and balances and provides more public oversight and accountability to the selection process. The change puts the commission in line with appointees to other major boards and with top-level staff in a governor's administration, who require Senate confirmation.

ARGUMENT AGAINST

Requiring Senate confirmation of appointees to a commission that deals with civil service issues injects politics and the potential for political meddling into a panel that is supposed to handle decisions apolitically. The Senate traditionally gives its individual members the privilege to block confirmation of appointees from their home districts to boards and commissions. The decisions are made behind closed doors, and no reason has to be given. Requiring confirmation could lengthen the time to fill commission positions.

Legal Citation: Act No. 281 (Senate Bill 160) by Sen. Cleo Fields of the 2022 Regular Session amends Article X, Section 3(B)(1) and (C).

DEC. 10 ELECTION **AMENDMENT 3**

Senate Confirmation of State Police Commission Members

**YOU
DECIDE**



A VOTE FOR WOULD

Require Louisiana Senate confirmation of the governor's appointees to the State Police Commission.

A VOTE AGAINST WOULD

Continue to let the governor appoint members to the State Police Commission without needing confirmation of those choices from the Louisiana Senate.

CURRENT SITUATION

The State Police Commission is a seven-member board that oversees rules governing personnel activities for the agency and hears appeals of disciplinary issues from commissioned full-time law enforcement officers employed by the Office of State Police. Six of the commission's members are appointed by the governor, chosen from nominees submitted by presidents of major private universities across the state (Centenary College, Dillard University, Louisiana Christian University, Loyola University, Tulane University and Xavier University.) Each president submits three nominees, and the governor picks one from each list. The seventh commission member is elected by classified state police officers. At least one appointed member must be from each of Louisiana's congressional districts. Members serve six-year terms.

PROPOSED CHANGE

The amendment would require the state Senate to confirm the six gubernatorial appointees to the commission.

ARGUMENT FOR

Giving state senators the chance to question and vet the qualifications of the six gubernatorial appointees to the commission offers a layer of checks and balances and provides more public oversight and accountability to the selection process. The change puts the commission in line with appointees to other major boards and with top-level staff in a governor's administration, who require Senate confirmation.

ARGUMENT AGAINST

Requiring Senate confirmation of appointees to a commission that deals with civil service issues injects politics and the potential for political meddling into a panel that is supposed to handle decisions apolitically. The Senate traditionally gives its individual members the privilege to block confirmation of appointees from their home districts to boards and commissions. The decisions are made behind closed doors, and no reason has to be given. Requiring confirmation could lengthen the time to fill commission positions.

Legal Citation: Act No. 280 (Senate Bill 75) by Sen. Cleo Fields of the 2022 Regular Session amends Article X, Section 43(C).