



SECRETARY OF STATE

STATE OF LOUISIANA

2020 PROPOSED CONSTITUTIONAL AMENDMENTS

November 3, 2020 Election

The seven (7) constitutional amendments that will be on the ballot for the **November 3, 2020** election are listed below.

Click on an Act number link to read the complete text of an Act at the Legislature's Website.

Proposed Amendment No. 1

[Act 447 \(HB 425, 2019 Regular Session by Representative Jackson\)](#) - Proposed constitutional amendment provides that, to protect human life, nothing in present constitution shall be construed to secure or protect a right to abortion or require the funding of abortion. (Adds Const. Art. I, §20.1)

Ballot Language: *“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?” (Adds Article I, Section 20.1)*

Proposed Amendment No. 2

[Act 368 \(HB 360, 2020 Regular Session by Representative Huval\)](#) - Proposed constitutional amendment retains present constitution but specifies that the presence or production of oil or gas may be included in the methodology when determining the fair market value of an oil or gas well for the purpose of ad valorem taxes. (Amends Const. Art. VII, §4(B))

Ballot Language: *“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?” (Amends Article VII, Section 4(B))*

Proposed Amendment No. 3

[Act 367 \(HB 267, 2020 Regular Session by Representative Carter\)](#) - Proposed constitutional amendment provides for the use of the fund for the state costs associated with a federally declared disaster, not to exceed an amount equal to 1/3 of the fund, after consent of 2/3 of the elected members of each house of the legislature. Proposed constitutional amendment adds the deposit of an amount equivalent to the federal funds received by the state for the reimbursement of disaster costs, not to exceed the amount of the costs appropriated out of the fund. (Amends Const. Art. VII, §10.3(C)(3) and (4); Adds Const. Art. VII, §10.3(A)(5) and (C)(5))

Ballot Language: *“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*

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government?” (Amends Article VII, Section 10.3(C)(3) and (4); Adds Article VII, Section 10.3(A)(5) and (C)(5))

Proposed Amendment No. 4

[Act 366 \(HB 464, 2020 Regular Session by Representative Beullieu\)](#) - Proposed constitutional amendment instead requires the legislature to establish a procedure to determine the expenditure limit, which shall not provide for growth of more than five percent. Provides that once established, the procedure shall not be changed except by a law enacted by a 2/3 vote of the elected members of each house of the legislature. Effective June 30, 2022, if passed. (Amends Const. Art. VII, §10(C)(1))

Ballot Language: *“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?” (Effective June 30, 2022) (Amends Article VII, Section 10(C)(1))*

Proposed Amendment No. 5

[Act 370 \(SB 272, 2020 Regular Session by Senator Abraham\)](#) - Proposed constitutional amendment changes present constitution by establishing an exemption for property subject to a cooperative endeavor agreement that requires the property owner to make payments in lieu of the ad valorem taxes imposed by a taxing authority that is a party to the agreement. The extent of the exemption shall be as provided for in the agreement. Proposed constitutional amendment requires that an enactment of any law to implement payments in lieu of taxes shall require a two-thirds vote of each house of the legislature. Proposed constitutional amendment requires that exempt properties be listed on the assessment rolls and that information concerning those properties be submitted to the La. Tax Commission. (Adds Const. Article VII, §21(O))

Ballot Language: *“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?” (Adds Article VII, Section 21(O))*

Proposed Amendment No. 6

[Act 369 \(HB 525, 2020 Regular Session by Representative Hilferty\)](#) - Proposed constitutional amendment increases the income threshold for qualifying for the special assessment level for residential property receiving the homestead exemption from \$50,000 adjusted annually based on the Consumer Price Index to \$100,000 with this amount being adjusted annually based on the Consumer Price Index beginning in tax year 2026. (Amends Const. Art. VII, §18(G)(1)(a)(ii))

Ballot Language: *“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?” (Amends Article VII, Section 18(G)(1)(a)(ii))*

Proposed Amendment No. 7

[Act 38 \(SB 12, 2020 First Extraordinary Session Senator Fesi\)](#) - Proposed constitutional amendment creates the La. Unclaimed Property Permanent Trust Fund (UCP Permanent Trust Fund) to be used solely for the payment of claims made by owners of abandoned property. Further prohibits appropriation from the UCP Permanent Trust Fund. Proposed constitutional amendment requires monies received pursuant to present law (Uniform Unclaimed Property Act, R.S. 9:151 et seq.) remaining after allocation

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to the Bond Security and Redemption Fund pursuant to present constitution; the payment of all administrative fees, costs, and expenses provided by law; and deposit of monies into the Unclaimed Property Leverage Fund to be deposited in the UCP Permanent Trust Fund. Further provides that realized capital gains, dividend income, and interest income earned on investments in the fund, net of trust fund investment and administrative expenses, shall be deposited into the State General Fund. Proposed constitutional amendment requires the state treasurer to annually report the UCP Permanent Trust Fund balance and the state's potential liability for unclaimed property claims to the legislature and the governor. Further authorizes money to be deposited into the UCP Permanent Trust Fund until the balance in that fund equals the state's reported potential liability for all unclaimed property. Once this threshold is reached in the UCP Permanent Trust Fund, proposed constitutional amendment requires any additional money received to be deposited into the State General Fund. Proposed constitutional amendment authorizes the state treasurer to invest up to 50% of the balance in the UCP Permanent Trust Fund in equities. Requires the legislature to establish procedures for the investment of the funds and authorizes the treasurer to contract for the management of the investments. Proposed constitutional amendment authorizes the treasurer to transfer money from the UCP Permanent Trust Fund if claims for unclaimed property exceed receipts. Requires the treasurer to certify the amount needed to pay claims received and immediately notify the legislature and the governor of the new fund balance once he has transferred the money. Effective July 1, 2021, if passed. (Adds Const. Art. VII, Sec.10(F)(4)(i) and Sec.28)

Ballot Language: *“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?” (July 1, 2021) (Adds Article VII, Sections 10(F)(4)(i) and 28)*