

LOUISIANA TAX COMMISSION

Minutes of
2022 Rules and Regulations Adoption Proceedings Meeting

Wednesday, October 5th, 2022
Louisiana State Capitol, Senate Committee Room F
Baton Rouge, Louisiana 70802

COMMISSION MEMBERS PRESENT*

Lawrence Chehardy – Chairman
Sandra Potier – Commission Member
Ben Jeffers – Commission Member
Joey Vercher – Commissioner Member
Regina Lynch Wood – Commissioner Member
*constituting a quorum

STAFF PRESENT

Michael Matherne – Tax Commission Administrator
Shandrekia Banks- Admin. Program Specialist A
Drew Hoffmann – Special Counsel to the Commission

OTHERS PRESENT

Stephen Shaw- ITCTax
Mark D.- ITCTax
Colton Asing- KE Andrews
Luke Phillips- KE Andrews
Aavon Smith- OMSA
Rona Diage- DOW
Jacob Johnston- LOGA
Lauro Porto-LOGA
Reuben A. Rangel – Advantous Consulting
Belinda Hazel- PPAO
Brennan Bailey- Advantous Consulting
Wendy Thibodeaux- LaFourche Parish
Richelle Roy- LaFourche Parish
Aliyah Suez- LOGA
Enhansen- Together Louisiana
Erin Hansen- Together Louisiana

Chairman Chehardy called the meeting to order at 10:01 p.m. and the roll was called.

Tentative Adoption of Proposed Amendments and updates to Louisiana Tax Commission Rules and Regulations

CHAPTER 1 – Constitutional and Statutory Guidelines

Commissioner Vercher moved to amend Chapter 1, Sections 103 to renumber items B., C., D., E., F., and G. as subparts of paragraph A., numbered 23, 24, 25, 26, 27, 28, and to amend item 103.A.25 to read: “New Manufacturing establishments and additions to existing manufacturing establishments to the extent tax exempt by virtue of an approved contract with the State Board of Commerce and Industry, as authorized by Article VII, Section 21.F of the Louisiana Constitution of 1974.”

There being no objection to the motion, the motion stands adopted.

CHAPTER 2 – Policies & Procedures for Assessment & Change Order Practices

Commissioner Vercher moved to amend Chapter 2, Sections 203.A, to add a new item 9 to read: “the assessor shall certify that the affected taxpayer(s) have been notified of the change order request that has been submitted to the LTC.” To amend Sections 211.A, add items B. and C., and subparts 1 through 7 to item C., add new item 5. To paragraph D., and amend sections 213.E., as posted to the LTC website as a revised proposal.

There being no objection to the motion, the motion stands adopted.

CHAPTER 3 – Real and Personal Property

Commissioner Vercher moved to amend Chapter 3, Sections 303.B.1. Real Property, remove the following language: “(except for Orleans Parish). New improvements for Orleans Parish shall be added to the next year’s tax roll, based upon the condition of things existing on August 1 of each year.”

There being no objection to the motion, the motion stands adopted.

Commissioner Vercher moved to amend Chapter 3, Section 304.C. Electronic Tax Roll Export Specifications, the Assessment Information, Assessment Value Information, Assessment Millage Information, and Tax Exemption Program Information Tables and to add new Summary Information Table, as posted to the LTC Website as a revised proposal.

There being no objection to the motion, the motion stands adopted.

Commissioner Vercher moved to amend Chapter 3, 307.A. as follows: Nothing in these Rules prohibits a taxpayer/property owner from arguing that the tables fail to achieve fair market value in a particular appeal or that another approach to value is appropriate to achieve fair market value in a particular appeal. It is the party seeking a deviation from the tables or for a fair market value reduction for its property based on obsolescence who has the burden of producing sufficient data and information to substantiate its claim.

There being no objection to the motion, the motion stands adopted.

Commissioner Wood moved to amend the LAT-12, Oil & Gas Property Form, referenced in Chapter 3, to update the Year/Month column of the LAT-12, Attachment A, as proposed by the Louisiana Assessors' Association.

There being no objection to the motion, the motion stands adopted.

CHAPTER 7 – Watercraft

Commissioner Wood moved move to amend Chapter 7, Table 703.A.1 and Table 703.B.1 to the new base date of January 1, 2022 and to update the year headings on Table 703.A.2, Table 703.B.2 and Table 705, as proposed by LTC staff.

There being no objection to the motion, the motion stands adopted.

CHAPTER 9 – Oil & Gas Properties

Commissioner Wood moved to Chapter 9 as outlined in the joint proposal by the Louisiana Assessors' Association Oil & Gas Committee, the Louisiana Mid-Continent Oil & Gas Association and the Louisiana Oil & Gas Association, and to adopt the values indicated in the proposal by LTC staff and posted on the LTC website for Tables 907.A.1 and 907.A.2.

There being no objection to the motion, the motion stands adopted.

Commissioner Wood moved to amend Chapter 9, Table 907.B-2., adding the beginning 2022 Serial Number of "253176" and adjust other Serial Numbers accordingly, as proposed by the Louisiana Assessors' Association.

There being no objection to the motion, the motion stands adopted.

Commissioner Wood moved to add a new Chapter 10, for Brine Operation Properties, as proposed by LTC staff and posted on the LTC website.

There being no objection to the motion, the motion stands adopted.

CHAPTER 11 – Drilling Rigs & Related Equipment

Commissioner Jeffers moved to amend Chapter 11, Tables 1103.A, 1103.B and 1103.C, as proposed by the Louisiana Assessors' Association.

There being no objection to the motion, the motion stands adopted.

CHAPTER 13 – Pipelines

Commissioner Jeffers moved to amend Chapter 13, Table 1307.A and Table 1307.B with the new Cost Per Mile and 15% of Cost Per Mile values, and to add to the NOTE at the bottom of Table 1307.A, "For river and canal crossings, apply a factor of 2.0 to Cost Per Mile figures in Table above," as proposed by the Louisiana Assessors' Association.

There being no objection to the motion, the motion stands adopted.

CHAPTER 15 – Aircraft

Commissioner Jeffers moved to amend Chapter 15, Table 1503, to the new base date of January 1, 2022, as proposed by Tax Commission staff.

There being no objection to the motion, the motion stands adopted.

CHAPTER 25 – General Business Assets

Commissioner Jeffers moved to amend Chapter 25, Section 2501, to add Item E as proposed by the LTC staff.

There being no objection to the motion, the motion stands adopted.

Commissioner Potier moved to amend Chapter 25, Table 2503.A. regarding Solar Farms as outlined in the joint proposal by the Louisiana Assessors' Association and Advanced Power Alliance.

There being no objection to the motion, the motion stands adopted.

Commissioner Potier moved to amend Table 2503.B, to the new base date of January 1, 2022 and to amend Table 2503.D, as proposed by Tax Commission staff.

There being no objection to the motion, the motion stands adopted.

CHAPTER 31 – Public Exposure of Assessments; Appeals

Commissioner Potier moved to amend Chapter 31, Section 3101, Form 3101, Exhibit A, as follows: “NOTE: The Board of Review’s decision may be appealed to the LA Tax Commission by completing and submitting Appeal Form 3102/3103.A to the LTC within 30 calendar days of the Board of Review’s decision. For further information, call the LTC at (225) 219-0339.” and Form 3102/3103A, to remove the word “original” before “Fair Market Value by the assessor” as proposed by LTC staff.

There being no objection to the motion, the motion stands adopted.

CHAPTER 35 – Miscellaneous

Commissioner Potier moved to amend §3507, Claim for Taxes Paid in Error, to delete the last sentence in item 4, amend item 7 as proposed with the exception of adding the word “calendar” in all places where 30 days are referenced **and** revise item 8 to update citation to Revised Statutes from 2108.1 to 2132.

There being no objection to the motion, the motion stands adopted.

FINAL MOTION

Chairman Chehardy moved that the Commission approve these changes to the LTC Real & Personal Property Rules and Regulations for tax year 2023 (2024 Orleans Parish) and our Emergency Rule be adopted upon promulgation with an effective date of January 1, 2023.

There being no objection to the motion, the motion stands adopted.

Chairman Chehardy noted that the motions would be placed on the Tax Commission website. All updates will be published in the December 2022 edition of the Louisiana Register.

Chairman Chehardy thanked all who participated for their input. The Chairman also thanked the New Orleans Housing Alliance and their partners for their input during the proceedings. In addition, the Chairman also announced that the commission will be asking the Louisiana

Assessors' Association and the Watercraft industry to form a working group to discuss the methodology that the Commission should place in its Rules and Regulations for 2023 for the assessment of Watercraft.

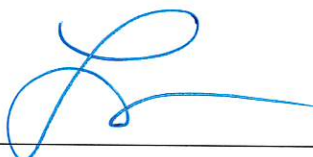
CONSIDERATION OF ANY OTHER MATTERS THAT MAY COME BEFORE THE COMMISSION

There being no further matters to come before the Commission, Commissioner Jeffers moved to adjourn.

There being no objections to the motion, the motion is adopted.

ADJOURNMENT

The meeting adjourned at 10:15 a.m.



Lawrence E. Chehardy, Chairman
District 1

Absent

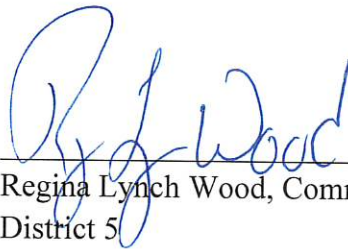
Sandra Potier, Commission Member
District 2



Ben Jeffers, Commission Member
District 3



Joey Vercher, Commission Member
District 4



Regina Lynch Wood, Commission Member
District 5