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**BETTER LOUISIANA**

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**RECOMMENDATIONS**

**2026 CONSTITUTIONAL  
AMENDMENTS**

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## Constitutional Amendments 2026

April 2026

### Introduction

On May 16, voters will consider five amendments to the Louisiana Constitution. Two of them are parts of [Amendment #2](#) from 2025, the major effort to rewrite the entirety of the constitution's lengthy Article VII. Voters rejected that amendment last year, but it was a complicated revision that contained many provisions that citizens likely had a difficult



time understanding. Leaders for a Better Louisiana supported Amendment #2 and likewise supports the two pieces from the amendment on this year's ballot.

Both of these are significant for the state. One utilizes about \$2 billion in revenues from three trust funds to pay down debt in the retirement system for teachers and directs the savings to teacher pay raises. The other gives local governments the option to eliminate, phase out, or reduce their business inventory tax.

The other three amendments are also consequential. They deal with a major change to the state's civil service system, an increase in the mandatory retirement age for judges, and the creation of a new school district in East Baton Rouge Parish.

That is why Better Louisiana has once again analyzed the amendments and offered our thoughts and recommendations. Our hope is that voters will use this guide and other resources that are available to familiarize themselves with the issues before they cast their votes.

Changing our constitution is not something we should undertake lightly. If we make a mistake, it is often difficult to repair in short order. Nevertheless, deciding constitutional matters is one of our important responsibilities as citizens, and we hope voters will consider these proposals thoughtfully and make their voices heard.

## **Amendment # 1 Allows the Legislature to Add Unclassified Positions Outside of State Civil Service**

The full text of this instrument is online at [this link](#).

**What It Does:** Currently only the Louisiana State Civil Service Commission and its Director (on a temporary basis only) can designate positions in state government as “unclassified.” These are generally at-will positions that serve at the pleasure of whoever hires them and lack most of the employment protections of “classified” state employees. Passage of this amendment would allow the Legislature to add new unclassified positions to the state workforce or take them away if they pass a law to do so.



### **Background:**

There have been concerns raised by legislators and others that state civil service laws make it difficult for state agencies to operate efficiently and effectively because they make it hard to hire and fire state employees as needed.

According to the most recent data there are 38,737 employees working in the executive branch of government. Of these, 4,997, or about 13%, are unclassified employees.

The constitution specifically delineates a number of positions that are unclassified. These include:

- Statewide elected officials.
- The heads of executive departments appointed by the Governor.
- Most teaching and professional staff in higher education.
- Employees of the legislative and judicial branches.
- Employees of the Governor, Lt. Governor, and Attorney General.
- All employees of the Governor’s Office of Homeland Security and Emergency Preparedness.

The constitution goes on to say that: “Additional positions may be added to the unclassified service, and those positions may be revoked by rules adopted by” the State Civil Service Commission.

This constitutional amendment would extend that same authority to the Legislature. It says: “Additional officers, positions, and employees may be added to the unclassified service in the state civil service by law and such additional officers, positions, and employees may be removed from the unclassified service only by law.”

Civil service-type protections vary considerably among states. Louisiana is often considered a state with a high-level of protection because many of its civil service provisions are placed in the constitution. That makes them difficult to change.

A number of states have some language in their constitution relating to civil service, but in most cases their powers are actually governed and can be changed by their Legislature by statute, rather than requiring an amendment to the constitution.

At the other end of the spectrum, there are also states like Texas and Georgia where virtually all of their state employees are unclassified or serve “at-will.”

**Comments:** The fact that there is a statewide vote on a constitutional amendment demonstrates a sentiment by a super-majority of the Legislature and the Governor to treat the state’s civil service system in a new way. As policies evolve and some agencies seek to become more “customer focused,” momentum to provide state agencies and leaders more flexibility in hiring and firing employees seems to be building. This amendment seeks to address this issue in a potentially sweeping manner.

From Huey Long’s “deduct box” to the infamous “spoils system,” Louisiana was notorious for the way its politicians used the hiring and firing of state workers and other forms of coercion to gain and maintain political power. It all came to a head in the “Louisiana Hayride” scandals of 1939 which led to the passage of one of the most significant good government reforms of that era, the Civil Service Act of 1940. It didn’t last long, however. The act was repealed in 1948 when Earl K. Long became Governor. Reformers came back with a new version in 1952 and that one was placed more permanently in the constitution, where it has been ever since.

In saying that the Legislature can add additional positions to the unclassified service, this amendment would provide more legislative control over civil service, which has some parallels with other states. However, it also appears to open a door that harkens back to our state’s political past, where a strong governor and Legislature could potentially make any or all positions unclassified, including targeting specific employees. This would likely raise legal concerns about due process and could lead to other unforeseen consequences.

Even states that have relatively few protections for their employees, generally have a human resource function that sets employment qualifications, job descriptions and pay scales. Many also have grievance procedures in place for at-will, unclassified employees.

In Louisiana, that human resource function is handled by the State Civil Service Commission, but for the most part, that only covers the classified staff. If Louisiana were to make larger numbers of its workers unclassified, state agencies would theoretically have to take over more human resources functions to manage that growing cadre of unclassified workers. This amendment is silent on whether a new HR system would exist for unclassified state employees or how agencies would implement the change.

It is also worth noting that the constitution currently prohibits classified workers from participating in political activity such as soliciting or making campaign contributions to candidates or taking part in political campaigns. There are no such restrictions placed on unclassified employees so if the unclassified service were to be expanded by the passage of this amendment these public employees would be allowed to participate in political activities and would not be bound by the current classified civil service rules.

If state leaders wish to make major changes in Louisiana’s civil service system, they might consider a more comprehensive study to answer some basic questions not answered during the legislative debate on this amendment. These include: 1) what problem with the civil service system are we trying to fix, 2) what would a new, perhaps more flexible, civil service system look like, 3) what employee protections and restrictions should be retained, and 4) if the unclassified service were to expand significantly, what kind of human resources function, if any, should be in place to deal with issues such as pay scales, job qualifications, and due process rights?

**Our Recommendation: No position.** While we see risks to the wording of this proposed constitutional amendment, we also see examples of states with fewer protections in their constitution. If this effort fails, we strongly recommend the Legislature create a more structured process to reconsider the design of its civil service system and its approach to reform. If this amendment passes, we recommend that the Legislature craft a very thoughtful statutory companion to govern this law’s implementation including rules governing political activities for any new swath of unclassified employees.

## **Amendment #2 Creates the St. George Community School System**

The full text of this instrument is online at [this link](#).



**What It Does:** This amendment effectively allows for the creation of the St. George Community School System in East Baton Rouge Parish. Technically speaking, the school system is created by another piece of legislation passed in the 2025 legislative session. Passage of this amendment is needed, however, to give it the constitutional authority to receive state MFP and textbook funding and raise local tax revenues.

### **Background:**

For many years, residents in an unincorporated area in southern East Baton Rouge Parish have sought to create an independent school district. Efforts to do so going back to 2013 failed, largely because the Legislature was hesitant to create a new school district in an unincorporated area that was largely a collection of small neighborhoods.

That set residents on a multi-year course of holding elections to incorporate a new city of St. George. Their first effort failed, but on a second attempt, voters approved the new city in 2019. After a bitter legal fight, the state Supreme Court ratified the election results in 2024.

With the incorporation of St. George complete, the Legislature passed legislation in 2025 to create the new school district along with this constitutional amendment which is needed to implement it. For the district to move forward, the constitutional amendment is required to pass statewide and in East Baton Rouge Parish.

**Comments:** The creation of the City of St. George and the desire of residents in that area to create a new school district has sparked significant controversy in East Baton Rouge Parish that has lasted well over a decade.

Proponents of the amendment say they are seeking more localized control of schools in their area. Opponents cite concerns about increased racial segregation and the fact that the parish school system will lose significant funding to a new school system. If this amendment passes, East Baton Rouge will have five school districts: the parish district and community systems in Baker, Zachary, Central, and St. George.

**Our Recommendation:** No position. Though voters across the state must vote on this amendment, in practical terms it is a local issue and has no significant impact at the state level.

### **Amendment # 3 Eliminates Education Trust Funds to Pay Off Retirement Debt**

The full instrument text is online at [this link](#).

**What It Does:** This amendment does three major things.

1. It abolishes three large education trust funds that are currently protected in the constitution.
2. It uses the revenues in those funds to retire about \$2 billion in debt in the Teachers' Retirement System of Louisiana (TRSL).
3. It requires the savings local school districts would realize from reduced payments to the retirement system to fund a small permanent pay raise for school employees. Currently teachers receive a year-to-year non-guaranteed stipend of \$2,000 with school support workers getting \$1,000. The amendment would permanently raise that to \$2,250 and \$1,125 respectively.



**Background:**

In 2025 voters rejected [Constitutional Amendment #2](#) which was a major rewrite of all of Article VII of the Louisiana Constitution. It made extensive changes to many parts of that article. This is one piece of that which the Legislature singled out to present again to voters as a stand-alone proposal.

The Louisiana Education Quality Trust Fund and the Louisiana Quality Education Support Fund receive constitutionally dedicated revenues from offshore mineral production. Together they generate revenues from earnings that are equally split between K-12 education and postsecondary education in support of specific educational activities that are specified in the constitution.

The Education Excellence Fund is a part of the Millennium Trust funded by a legal settlement with major tobacco companies. It, too, uses investment earnings to support various education initiatives.

This amendment eliminates all three of those funds and redirects the revenues in their accounts to pay down more than \$2 billion of debt in TRSL. The original amendment estimated that move would reduce the amount that public school systems and higher education are paying to eliminate that debt by about \$283 million per year.

It further mandates that the savings realized by the various public school systems be used to make a year-to-year stipend that school personnel have been receiving into a permanent part of their pay. For the last three years, these stipends have totaled \$2,000 per year for educators and \$1,000 a year for school support workers, though that amount would increase slightly if this amendment passes.

On the positive side, passage of this amendment would eliminate a significant amount of state debt owed to TRSL. It would also turn a yearly, non-guaranteed stipend that teachers have been receiving into a permanent payment at a slightly higher rate. It is worth noting that stipend is not now included in the current version of the state budget and lawmakers would have to find other dollars to fund it for next year if this amendment fails and they want the stipend to continue.

On the negative side, this amendment would eliminate about \$2 billion dollars in permanent trust funds whose earnings have been used for decades to support early childhood, K-12, and higher education research and professorships. Companion legislation requires an annual deposit of \$11 million into a new fund to maintain the support for early childhood education.

The governor and legislative leaders have indicated that K-12 and higher education would continue to receive the funding lost by the dismantling of the trust funds, but that is not guaranteed for the future. The revenues that would have gone into the Education Excellence Fund will now be added to companion Health Excellence and TOPS Funds.

**Our Recommendation: Support.** Better Louisiana supported Amendment #2 in 2025. We noted that paying off large amounts of debt and raising teacher pay were good things, while acknowledging that maintaining significant trust fund balances for education was also good policy. Ultimately, we believe the passage of this amendment outweighs the possible negative consequences of losing the trust

funds. However, we take this position with the expectation that if this amendment passes, the Legislature will permanently maintain the funding for K-12 and higher education initiatives that would be lost from these trust funds.

## **Amendment #4 Optional Elimination of Business Inventory Taxes**

The full instrument text is online at [this link](#).



**What It Does:** Passage of this amendment would set into motion a mechanism that would allow local governments to voluntarily eliminate or reduce the local property tax on business inventory.

**Background:** For some time, lawmakers have been interested in reducing or eliminating the local property tax on business inventory to make Louisiana more competitive with other

states. Elimination of the inventory tax and the inventory tax credit meant to mitigate its costs to business were also recommended as part of our own comprehensive tax reform report produced by the non-partisan Tax Foundation in 2015. It cited the entire practice as harmful to investment, expensive to the state because of the tax credit, and out of line with tax policy in most other states.

While eliminating the inventory tax would greatly improve Louisiana's tax structure, doing so has been difficult because several parishes with high concentrations of manufacturing rely heavily on that tax to maintain the functions of their local government.

In the 2024 tax reform session, legislators did two major things with regard to this tax. They passed [Constitutional Amendment #2](#), which included a proposal similar to this one to voluntarily eliminate the inventory tax. They also repealed the inventory tax credit for large corporations. When voters rejected Amendment #2, the possible mechanism to get rid of the inventory tax went away, but that repeal of the inventory tax credit stayed in place.

This amendment and companion legislation seek to revisit that original proposal in a voluntary way that might appeal to some jurisdictions. Here is how it would work:

- Dollars from the state's Revenue Stabilization Trust Fund would be made available for a one-time payout to local governments who voluntarily choose to eliminate or phase out the inventory tax before July 1, 2027. Foregoing that tax would require the approval of the sheriff, school board, and local parish governing authority.
- The amount of the payout is based on how much inventory tax the parish collects. If the tax is eliminated immediately, the parish could receive at least \$1 million and up to \$15 million in one-time funds. If it phases out the tax over a period of five years or less, it could receive at least \$500,000 or up to \$10 million.

- The amendment would also give parishes the authority to adjust the fair market value of property considered business inventory to attract or retain businesses if they choose to do so. In effect, this would allow them to provide a partial exemption on business inventory taxes, which they cannot do now.

**Our Recommendation: Support.** Generally, we have supported efforts to eliminate the inventory tax and inventory tax credit as a way to simplify the state's tax code and make the state more competitive. However, to do so has proven extremely complicated and the effects vary by parish. This constitutional amendment provides a voluntary method for parishes that choose to do so to eliminate the inventory tax in exchange for a subsidy to offset any near-term financial impacts.

As an added concession to local governments, this amendment also includes language that would constitutionally prohibit the Legislature from passing a law mandating any exemption from business inventory taxes. As noted, there are several parishes, particularly in industrialized areas, where collections of business inventory taxes are significant and make up a major portion of their local budgets. This amendment would probably not be enough to get them to eliminate that tax in the near term.

But other parishes might consider doing so because they do not collect significant revenue from inventory taxes and would receive a lump sum payment from the state which might make it worthwhile. They might also choose to do so for competitive reasons to market themselves to businesses as a jurisdiction with no inventory taxes. The added ability to lower the rate of the inventory tax without totally eliminating it might also be a useful tool for local governments in competitive situations, though once eliminated or lowered, it could not be brought back or increased.

For illustrative purposes, the Legislative Fiscal Office estimated that if all parishes chose to immediately eliminate the inventory tax the state would pay out about \$562 million to parish governments. If they all chose to take the phase-out approach, it would cost about \$296 million. There is currently about \$2.4 billion in the Revenue Stabilization Trust Fund.

## **Amendment #5 Increases the Mandatory Retirement Age for State Court Judges**

The full text of this instrument is online at [this link](#).

**What it Does:** Passage of this amendment would increase the mandatory retirement age of all state court judges in Louisiana from 70 to 75. It would allow judges who turn 75 during the course of their term to continue serving until the end of their term, but no person would be allowed to run for judge once they reach the age of 75.

**Background:** The mandatory retirement age for judges comes up from time to time in Louisiana. Prior to the passage of the 1974 constitution, it was 75 years old and in some cases a judge could stay on the bench until age 80. The 1974 constitution lowered it to 70 years old and a constitutional amendment in 2003 allowed judges who turned 70 during their elected term to remain in office until their terms ended.

In 1995 voters rejected an amendment that would have raised the age back to 75 and in 2014 defeated another one that would have eliminated mandatory retirement ages all together.

The website Ballotpedia, which tracks election and ballot initiatives, reports that 31 states have mandatory retirement ages for judges, with age 70 being the lowest. Texas and Florida set the age limit at 75. Among other southern states, Mississippi, Arkansas, Georgia, Tennessee, Kentucky, and West Virginia have no mandatory retirement age.

**Our Recommendation: Support.** Most states with mandatory age limits set them at either 70 or 75. The arguments for the lower limit usually center around mitigating the risk of incapacity issues that might come at an older age and the desire to see more turnover on the bench. But life expectancy and professional lifespans are now significantly longer than they used to be. We believe the higher age limit helps retain institutional experience on the bench and we support this amendment.

