

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1253

Broward County, Florida

SPONSOR(S): Sobel

TIED BILLS:

IDEN./SIM. BILLS: HB 1083

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Government Council</u>	<u>8 Y, 0 N</u>	<u>DiVagno</u>	<u>Hamby</u>
2) <u>Fiscal Council</u>	<u></u>	<u></u>	<u></u>
3) <u></u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

The Department of Revenue (DOR) conducts an in-depth review of every property appraiser's assessment rolls at least every two years. DOR creates a report on each assessment roll. Included in the report is DOR's confidence level in the property appraiser's rolls based on DOR's use of various statistical and analytical measures, which are also included in the report. DOR then forwards this report to the Senate Finance, Taxation, and Claims Committee, the House Finance and Taxation Committee, and the property appraiser. Once DOR presents the property appraiser with its report, the report becomes a public record.

This bill requires that the Broward County Property Appraiser forward a copy of DOR's report to the Mayor of Broward County, each county commissioner, and the county auditor.

This bill would take effect upon becoming law.

According to the Economic Impact Statement, no fiscal impacts are anticipated for either fiscal year 2005-06 or 2006-07.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government: The bill increases the duties of the Broward County Property Appraiser by requiring them to forward a copy of the reports they receive from the Department of Revenue to the Mayor of Broward County, each county commissioner, and the county auditor.

B. EFFECT OF PROPOSED CHANGES:

Current Situation in Assessment Rolls:

Property appraisers¹ are required to assess all property in their county and prepare assessment rolls for all real property and tangible personal property.² An assessment roll is a record of all taxable property within the tax district which is completed, verified, and reported to the Department of Revenue (DOR) by the property appraiser. DOR has supervisory authority over property appraisers under chapter 195, F.S. DOR prescribes forms, rules and regulations for assessing and collecting taxes, establishment of standards of value, manual of instructions, classification of property, budgetary processes, and review of assessment rolls.

Each assessment roll is submitted to DOR for review. The purpose of the review is to determine that the rolls meet the appropriate requirements of law relating to form and just value.³ DOR is required to conduct an in-depth review of the assessment rolls for each county no less than once every two years. At a minimum, DOR is to review the level of assessment for the county in relation to just value of each of the various classifications of property found in s. 195.0969(3)(a), F.S. The in-depth review may include review of the proceedings of the value adjustment board and the audit or review of procedures used by the counties to appraise property.

Within 120 days after receiving a county's assessment roll, or within 10 days after approving it, whichever is later, DOR is to finalize its review and forward its findings to the Senate Finance, Taxation, and Claims Committee, the House Finance and Taxation Committee, and the appropriate property appraiser. DOR is to include in its findings a statement of the confidence interval for the median, other measures studied, and the roll as a whole⁴, and related statistical and analytical information.⁵ DOR's report becomes a public record, subject to chapter 119, F.S., once it is released to the property appraiser.⁶

Effect of Bill:

This local bill requires the Broward County Property Appraiser to forward a copy of the report to the Mayor of Broward County, each of the nine county commissioners, and the county auditor, within 90 days of receiving the report from DOR. The report shall include the same results provided to the Broward County Property Appraiser by DOR. The copy is required to include:

- All statistical and analytical measures taken for the real property assessment roll as a whole and the personal property assessment roll as a whole.

¹ Property Appraisers are independently elected, constitutional officers. Art. VII, section 1(d), Florida Constitution.

² Sections 192.011 and 193.114, F.S.

³ Section 193.1142(1), F.S.

⁴ The confidence interval is a statistical measure of the reliability of DOR's sample. E-mail from David Beggs of DOR (March 8, 2006).

⁵ Section 195.096(2)(f), F.S.

⁶ Section 195.096(2)(e), F.S.

- The results of any audit or review of procedures the county property appraiser used to appraise the property, listed independently for each class or sub class of real property studied.

For the years in which Broward County is not under in-depth review, the report forwarded by the property appraiser must include any value-weighted mean level of assessment projected for that year pursuant to state law.⁷

C. SECTION DIRECTORY:

Section 1: Requires Broward County Property Appraiser to forward copies of the Department of Revenue's report.

Section 2: Provides an effective of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 10, 2006

WHERE? *Sun-Sentinel*, Broward/Palm Beach/Miami Dade County, Florida.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

According to the Economic Impact Statement, no fiscal impacts are anticipated for either fiscal year 2005-06 or 2006-07.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Other Comments:

⁷ These projections are made by DOR and based upon the best information available, utilizing professionally accepted methodology, and separately allocate changes in total assessed value to: new construction, additions, and deletions, changes in the value of the dollar, changes in the market value of property, and the level of assessment. Section 195.096(3)(b), F.S.

According to the Economic Impact Statement, the advantage of this bill is the public scrutiny and examination improves public performance. When the present Broward County Property Appraiser, a former County Commissioner and School Board Member, took office, she was unaware of these reports. When she became aware of these reports, she requested copies from the Department of Revenue. The reports showed that Broward County had not been in compliance for years. Her position is that had these reports been known, the property appraiser would have had to fix the problem or the audits would have been used against them during elections.⁸

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

None.

⁸ E-mail from Lori N. Parrish, March 20, 2006.