

By the Committee on Community Affairs; and Senators Diaz and Pizzo

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1 A bill to be entitled
2 An act relating to the assessment of property;
3 creating s. 193.019, F.S.; authorizing counties and
4 municipalities to enter into agreements with property
5 owners to record certain restrictive covenants running
6 with the land; authorizing property owners and the
7 county or municipality to amend the covenant under
8 certain circumstances; providing requirements for
9 counties and municipalities in recording covenants and
10 in providing property appraisers with a list of
11 agreements; requiring property appraisers to consider
12 the terms of covenants in arriving at just value;
13 providing construction; amending s. 196.183, F.S.;
14 revising a condition under which a property owner may
15 qualify for the tangible personal property exemption
16 without filing an initial return; providing an
17 effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 193.019, Florida Statutes, is created to
22 read:

23 193.019 Assessment of property with restrictive covenants.-
24 (1) (a) A county or municipality may enter into an agreement
25 with a property owner which authorizes the county or
26 municipality to record with the clerk of court a restrictive
27 covenant running with the land for a term of at least 20 years
28 and stating that the property will be used to provide affordable
29 housing to extremely-low-income, very-low-income, low-income, or

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30 moderate-income persons as defined in s. 420.0004 or provide
31 workforce housing as defined in s. 420.5095(3). The covenant may
32 contain resale restrictions.

33 (b) A property owner and the county or municipality may
34 agree to amend, supplement, or attach an addendum to the
35 recorded covenant, so long as the amendment, supplement, or
36 addendum does not significantly alter the intent of the original
37 covenant.

38 (2) Each restrictive covenant entered into pursuant to this
39 section must be recorded in the public records of the county
40 where the property is located. Each county or municipality that
41 enters into an agreement with a property owner shall provide the
42 property appraiser with a list of all agreements entered into
43 for the calendar year no later than December 1 of the year
44 before the year in which the revised assessment will take
45 effect.

46 (3) In addition to considering the factors listed in s.
47 193.011 in arriving at just value, the property appraiser shall
48 consider each property with a restrictive covenant entered into
49 pursuant to this section in accordance with the terms of the
50 covenant, including any recorded amendment, supplement, or
51 addendum to, or resale restriction in, the covenant.

52 (4) Each covenant entered into pursuant to this section,
53 including any amendment, supplement, or addendum to the
54 covenant, or resale restriction therein, which is recorded in
55 the official public records of the county in which the land is
56 located is deemed a land use regulation during the term of the
57 covenant.

58 Section 2. Subsection (4) of section 196.183, Florida

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59 Statutes, is amended to read:

60 196.183 Exemption for tangible personal property.—

61 (4) Owners of property ~~previously~~ assessed by the property
62 appraiser without a return being filed may, at the option of the
63 property appraiser, qualify for the exemption under this section
64 without filing an initial return.

65 Section 3. This act shall take effect July 1, 2019.