

By Senator Childers

1-1079-99

See HB 345

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A bill to be entitled

An act relating to the educational property tax exemption; amending s. 196.198, F.S.; providing circumstances in which land is considered to be property owned by an educational institution; providing an effective date.

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

Section 1. Section 196.198, Florida Statutes, is amended to read:

196.198 Educational property exemption.--Educational institutions within this state and their property used by them or by any other exempt entity or educational institution exclusively for educational purposes shall be exempt from taxation. Sheltered workshops providing rehabilitation and retraining of disabled individuals and exempted by a certificate under s. (d) of the federal Fair Labor Standards Act of 1938, as amended, are declared wholly educational in purpose and shall be exempted from certification, accreditation, and membership requirements set forth in s. 196.012. Those portions of property of college fraternities and sororities certified by the president of the college or university to the appropriate property appraiser as being essential to the educational process, shall be exempt from ad valorem taxation. The use of property by public fairs and expositions chartered by chapter 616 is presumed to be an educational use of such property and shall be exempt from ad valorem taxation to the extent of such use. Property used exclusively for educational purposes shall be deemed owned by an educational institution if the entity owning 100 percent of

1 the educational institution is owned by the identical persons
2 who own the property. If the title to land is held by the
3 trustee of an irrevocable inter vivos trust and if the trust
4 grantor owns 100 percent of the corporation that operates an
5 educational institution that is using the land exclusively for
6 educational purposes, the land is considered to be property
7 owned by the educational institution.Property owned by an
8 educational institution shall be deemed to be used for an
9 educational purpose if the institution has taken affirmative
10 steps to prepare the property for educational use.

11 Affirmative steps means environmental or land use permitting
12 activities, creation of architectural plans or schematic
13 drawings, land clearing or site preparation, construction or
14 renovation activities, or other similar activities that
15 demonstrate commitment of the property to an educational use.

16 Section 2. This act shall take effect upon becoming a
17 law.

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20 SENATE SUMMARY

21 Provides that, for purposes of the educational property
22 exemption from taxation, property is considered to be
23 owned by an educational institution if the title to the
24 property is held by the trustee of an irrevocable inter
25 vivos trust and if the trust grantor owns 100 percent of
26 the corporation that operates the educational institution
27 that is using the land exclusively for educational
28 purposes.
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