

By the Committee on Education and Senator Childers

304-2018-99

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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 entity that owns an
5 educational institution that is using the land exclusively for
6 educational purposes, the land is deemed to be property owned
7 by the educational institution for purposes of this exemption.
8 Property owned by an educational institution shall be deemed
9 to be used for an educational purpose if the institution has
10 taken affirmative steps to prepare the property for
11 educational use. Affirmative steps means environmental or
12 land use permitting activities, creation of architectural
13 plans or schematic drawings, land clearing or site
14 preparation, construction or renovation activities, or other
15 similar activities that demonstrate commitment of the property
16 to an educational use.

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

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20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
21 COMMITTEE SUBSTITUTE FOR
22 SB 974

23 The committee substitute clarifies the proposed ad valorem tax
24 exemption to avoid obscure ownership issues and conforms
25 terminology to that currently used in chapter 196, F.S.
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