

By Senators Brown-Waite, Latvala, Sullivan and Campbell

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to finance and taxation, to allow counties to provide for a reduction in the assessed value of residential property equal to the increase in such value which results from constructing living quarters for certain persons over the age of 62 years.

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

That the following amendment to Section 4 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII
FINANCE AND TAXATION

SECTION 4. Taxation; assessments.--By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers or land used exclusively for non-commercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued

1 for taxation at a specified percentage of its value, may be
2 classified for tax purposes, or may be exempted from taxation.

3 (c) All persons entitled to a homestead exemption
4 under Section 6 of this Article shall have their homestead
5 assessed at just value as of January 1 of the year following
6 the effective date of this amendment. This assessment shall
7 change only as provided herein.

8 1. Assessments subject to this provision shall be
9 changed annually on January 1st of each year; but those
10 changes in assessments shall not exceed the lower of the
11 following:

12 (A) three percent (3%) of the assessment for the prior
13 year.

14 (B) the percent change in the Consumer Price Index for
15 all urban consumers, U.S. City Average, all items 1967=100, or
16 successor reports for the preceding calendar year as initially
17 reported by the United States Department of Labor, Bureau of
18 Labor Statistics.

19 2. No assessment shall exceed just value.

20 3. After any change of ownership, as provided by
21 general law, homestead property shall be assessed at just
22 value as of January 1 of the following year. Thereafter, the
23 homestead shall be assessed as provided herein.

24 4. New homestead property shall be assessed at just
25 value as of January 1st of the year following the
26 establishment of the homestead. That assessment shall only
27 change as provided herein.

28 5. Changes, additions, reductions or improvements to
29 homestead property shall be assessed as provided for by
30 general law; provided, however, after the adjustment for any
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1 change, addition, reduction or improvement, the property shall
2 be assessed as provided herein.

3 6. In the event of a termination of homestead status,
4 the property shall be assessed as provided by general law.

5 7. The provisions of this amendment are severable. If
6 any of the provisions of this amendment shall be held
7 unconstitutional by any court of competent jurisdiction, the
8 decision of such court shall not affect or impair any
9 remaining provisions of this amendment.

10 (d) The legislature may, by general law, for
11 assessment purposes and subject to the provisions of this
12 subsection, allow counties and municipalities to authorize by
13 ordinance that historic property may be assessed solely on the
14 basis of character or use. Such character or use assessment
15 shall apply only to the jurisdiction adopting the ordinance.
16 The requirements for eligible properties must be specified by
17 general law.

18 (e) A county may, in the manner prescribed by general
19 law, provide for a reduction in the assessed value of
20 residential property to the extent of any increase in the
21 assessed value of that property which results from the
22 construction or reconstruction of the property for the purpose
23 of providing living quarters for one or more natural or
24 adopted grandparents or parents of the owner of the property
25 or of the owner's spouse if at least one of the grandparents
26 or parents for whom the living quarters are provided is 62
27 years of age or older. Such a reduction may not exceed the
28 lesser of the following:

29 1. the increase in assessed value resulting from
30 construction or reconstruction of the property.

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1 2. twenty percent of the total assessed value of the
2 property as improved.

3 BE IT FURTHER RESOLVED that the following statement be
4 placed on the ballot:

5 CONSTITUTIONAL AMENDMENT

6 ARTICLE VII, SECTION 4

7 EXEMPTION FOR CONSTRUCTION OF LIVING QUARTERS FOR
8 PARENTS OR GRANDPARENTS.--Proposing an amendment to the State
9 Constitution to allow counties to exempt from taxation an
10 increase in the assessed value of residential property
11 resulting from constructing living quarters for the property
12 owner's parent or grandparent who is 62 years old or older.

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