

By Senator Latvala

19-925-01

1                                   A bill to be entitled  
2           An act relating to the exemption of homesteads  
3           from ad valorem taxation; amending s. 196.031,  
4           F.S.; providing that a homestead exemption in  
5           this state is not available to a property owner  
6           who receives from another state an ad valorem  
7           tax exemption or tax credit that is based upon  
8           permanent residency in that state; providing an  
9           effective date.

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

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13           Section 1. Section 196.031, Florida Statutes, is  
14 amended to read:

15           196.031 Exemption of homesteads.--

16           (1) Every person who, on January 1, has the legal  
17 title or beneficial title in equity to real property in this  
18 state and who resides thereon and in good faith makes the same  
19 his or her permanent residence, or the permanent residence of  
20 another or others legally or naturally dependent upon such  
21 person, is entitled to an exemption from all taxation, except  
22 for assessments for special benefits, up to the assessed  
23 valuation of \$5,000 on the residence and contiguous real  
24 property, as defined in s. 6, Art. VII of the State  
25 Constitution. Such title may be held by the entireties,  
26 jointly, or in common with others, and the exemption may be  
27 apportioned among such of the owners as shall reside thereon,  
28 as their respective interests shall appear. If only one of the  
29 owners of an estate held by the entireties or held jointly  
30 with the right of survivorship resides on the property, that  
31 owner is allowed an exemption of up to the assessed valuation

1 of \$5,000 on the residence and contiguous real property.  
2 However, no such exemption of more than \$5,000 is allowed to  
3 any one person or on any one dwelling house, except that an  
4 exemption up to the assessed valuation of \$5,000 may be  
5 allowed on each apartment or mobile home occupied by a  
6 tenant-stockholder or member of a cooperative corporation and  
7 on each condominium parcel occupied by its owner. Except for  
8 owners of an estate held by the entireties or held jointly  
9 with the right of survivorship, the amount of the exemption  
10 may not exceed the proportionate assessed valuation of all  
11 owners who reside on the property. Before such exemption may  
12 be granted, the deed or instrument shall be recorded in the  
13 official records of the county in which the property is  
14 located. The property appraiser may request the applicant to  
15 provide additional ownership documents to establish title.

16 (2) As used in subsection (1), the term "cooperative  
17 corporation" means a corporation, whether for profit or not  
18 for profit, organized for the purpose of owning, maintaining,  
19 and operating an apartment building or apartment buildings or  
20 a mobile home park to be occupied by its stockholders or  
21 members; and the term "tenant-stockholder or member" means an  
22 individual who is entitled, solely by reason of his or her  
23 ownership of stock or membership in a cooperative corporation,  
24 as evidenced in the official records of the office of the  
25 clerk of the circuit court of the county in which the  
26 apartment building is located, to occupy for dwelling purposes  
27 an apartment in a building owned by such corporation or to  
28 occupy for dwelling purposes a mobile home which is on or a  
29 part of a cooperative unit. A corporation leasing land for a  
30 term of 98 years or more for the purpose of maintaining and  
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1 operating a cooperative thereon shall be deemed the owner for  
2 purposes of this exemption.

3 (3)(a) For every person who is entitled to the  
4 exemption provided in subsection (1), who is a permanent  
5 resident of this state, and who is 65 years of age or older,  
6 the exemption is increased to \$10,000 of assessed valuation  
7 for taxes levied by governing bodies of counties,  
8 municipalities, and special districts.

9 (b) For every person who is entitled to the exemption  
10 provided in subsection (1), who has been a permanent resident  
11 of this state for the 5 consecutive years prior to claiming  
12 the exemption under this subsection, and who qualifies for the  
13 exemption granted pursuant to s. 196.202 as a totally and  
14 permanently disabled person, the exemption is increased to  
15 \$9,500 of assessed valuation for taxes levied by governing  
16 bodies of counties, municipalities, and special districts.

17 (c) No homestead shall be exempted under both  
18 paragraphs (a) and (b). In no event shall the combined  
19 exemptions of s. 196.202 and paragraph (a) or paragraph (b)  
20 exceed \$10,000.

21 (d) For every person who is entitled to the exemption  
22 provided in subsection (1) and who is a permanent resident of  
23 this state, the exemption is increased to a total of \$25,000  
24 of assessed valuation for taxes levied by governing bodies of  
25 school districts.

26 (e) For every person who is entitled to the exemption  
27 provided in subsection (1) and who is a resident of this  
28 state, the exemption is increased to a total of \$25,000 of  
29 assessed valuation for levies of taxing authorities other than  
30 school districts. However, the increase provided in this  
31 paragraph shall not apply with respect to the assessment roll

1 of a county unless and until the roll of that county has been  
2 approved by the executive director pursuant to s. 193.1142.

3 (4) The property appraisers of the various counties  
4 shall each year compile a list of taxable property and its  
5 value removed from the assessment rolls of each school  
6 district as a result of the excess of exempt value above that  
7 amount allowed for nonschool levies as provided in subsections  
8 (1) and (3), as well as a statement of the loss of tax revenue  
9 to each school district from levies other than the minimum  
10 financial effort required pursuant to s. 236.02(6), and shall  
11 deliver a copy thereof to the Department of Revenue upon  
12 certification of the assessment roll to the tax collector.

13 (5) The exemption provided in this section applies  
14 only to those parcels classified and assessed as  
15 owner-occupied residential property or only to the portion of  
16 property so classified and assessed.

17 (6) A property owner is not entitled to the homestead  
18 exemption provided in subsection (1) if the property owner is  
19 also receiving or claiming the benefit of an ad valorem tax  
20 exemption or a tax credit in another state where permanent  
21 residency is also required as a basis for the granting of that  
22 ad valorem tax exemption or credit.

23 Section 2. This act shall take effect upon becoming a  
24 law.

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27 SENATE SUMMARY

28 Provides that the exemption of a homestead in this state  
29 from ad valorem taxation is not available to a property  
30 owner who receives from another state an ad valorem tax  
31 exemption or tax credit that is based upon permanent  
residency in that state.