

By the Committee on Fiscal Policy & Resources and
Representative Wallace

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House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 26 of Article XII of the State Constitution relating to exemption from ad valorem taxation for certain tangible personal property.

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

That the amendment to Section 3 of Article VII and the creation of Section 26 of Article XII of the State Constitution set forth below are agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 2002:

ARTICLE VII

FINANCE AND TAXATION

SECTION 3. Taxes; exemptions.--

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to every head of a family residing in this state, household goods and personal effects to the value fixed by general law, not less than one thousand dollars, and to every widow or widower or person who is blind or totally and permanently

1 disabled, property to the value fixed by general law not less
2 than five hundred dollars.

3 (c) Any county or municipality may, for the purpose of
4 its respective tax levy and subject to the provisions of this
5 subsection and general law, grant community and economic
6 development ad valorem tax exemptions to new businesses and
7 expansions of existing businesses, as defined by general law.
8 Such an exemption may be granted only by ordinance of the
9 county or municipality, and only after the electors of the
10 county or municipality voting on such question in a referendum
11 authorize the county or municipality to adopt such ordinances.
12 An exemption so granted shall apply to improvements to real
13 property made by or for the use of a new business and
14 improvements to real property related to the expansion of an
15 existing business and shall also apply to tangible personal
16 property of such new business and tangible personal property
17 related to the expansion of an existing business. The amount
18 or limits of the amount of such exemption shall be specified
19 by general law. The period of time for which such exemption
20 may be granted to a new business or expansion of an existing
21 business shall be determined by general law. The authority to
22 grant such exemption shall expire ten years from the date of
23 approval by the electors of the county or municipality, and
24 may be renewable by referendum as provided by general law.

25 (d) By general law and subject to conditions specified
26 therein, there may be granted an ad valorem tax exemption to a
27 renewable energy source device and to real property on which
28 such device is installed and operated, to the value fixed by
29 general law not to exceed the original cost of the device, and
30 for the period of time fixed by general law not to exceed ten
31 years.

1 (e) Any county or municipality may, for the purpose of
2 its respective tax levy and subject to the provisions of this
3 subsection and general law, grant historic preservation ad
4 valorem tax exemptions to owners of historic properties. This
5 exemption may be granted only by ordinance of the county or
6 municipality. The amount or limits of the amount of this
7 exemption and the requirements for eligible properties must be
8 specified by general law. The period of time for which this
9 exemption may be granted to a property owner shall be
10 determined by general law.

11 (f) By general law and subject to the conditions
12 specified therein, in addition to any other exemption granted
13 to tangible personal property pursuant to this section, all
14 tangible personal property in this state held by the same
15 owner may be exempted from ad valorem taxation up to a total
16 cumulative value of \$5,000. This exemption does not apply if
17 the total value of all tangible personal property held by the
18 owner that would qualify for this exemption exceeds the amount
19 of the exemption. This exemption does not apply to tangible
20 personal property held for sale as stock in trade and
21 livestock, which are subject to Section 4(b) of this article.

22 ARTICLE XII

23 SCHEDULE

24 SECTION 26. Exemption for certain tangible personal
25 property.--Section 3(f) of Article VII, relating to exemption
26 from ad valorem taxation for certain tangible personal
27 property, shall take effect January 1, 2003.

28 BE IT FURTHER RESOLVED that in accordance with the
29 requirements of section 101.161, Florida Statutes, the title
30 and substance of the amendment proposed herein shall appear on
31 the ballot as follows:

1 TAX EXEMPTION FOR CERTAIN
2 TANGIBLE PERSONAL PROPERTY
3 Allows exemption from ad valorem taxation by general
4 law of all tangible personal property in this state held by
5 the same owner up to a total value of \$5,000, unless the value
6 of such property qualified for the exemption held by the owner
7 exceeds the amount of the exemption. This exemption would be
8 in addition to other constitutional exemptions for such
9 property and would not apply to tangible personal property
10 held for sale as stock in trade or livestock.
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