

By Senator Sebesta

20-1678-02

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A bill to be entitled

An act relating to the excise tax on documents;
amending s. 201.02, F.S.; exempting transfers
between spouses from the tax on deeds and other
instruments relating to real property or
interests therein; providing an effective date.

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

Section 1. Subsection (7) of section 201.02, Florida
Statutes, is amended to read:

201.02 Tax on deeds and other instruments relating to
real property or interests in real property.--

(7)(a) Taxes imposed by this section do not apply to a
deed, transfer, or conveyance between spouses.

(b) Taxes imposed by this section do not apply to a
deed, transfer, or conveyance between ~~spouses~~ or former
spouses pursuant to an action for dissolution of their
marriage wherein the real property is or was their marital
home or an interest therein. ~~Taxes paid pursuant to this
section shall be refunded in those cases in which a deed,
transfer, or conveyance occurred 1 year before a dissolution
of marriage.~~This paragraph subsection applies in spite of any
consideration as defined in subsection (1). This paragraph
subsection does not apply to a deed, transfer, or conveyance
executed before July 1, 1997.

Section 2. This act shall take effect July 1, 2002.

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SENATE SUMMARY

Exempts all transfers between spouses from the documentary stamp tax on deeds and other instruments relating to real property. Present law exempts such transfers only pursuant to an action for dissolution of marriage.