

By Senator Posey

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution, relating to finance and taxation, to allow certain types of tangible personal property to be exempted from ad valorem taxation by general law, if the Legislature finds that collecting such taxes is not cost-effective.

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

That the following amendment to Section 3 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 and, if adopted, shall take effect January 1, 2003:

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,

1 not less than one thousand dollars, and to every widow or
2 widower or person who is blind or totally and permanently
3 disabled, property to the value fixed by general law not less
4 than five hundred dollars.

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

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

1 for the period of time fixed by general law not to exceed ten
2 years.

3 (e) 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 historic preservation ad
6 valorem tax exemptions to owners of historic properties. This
7 exemption may be granted only by ordinance of the county or
8 municipality. The amount or limits of the amount of this
9 exemption and the requirements for eligible properties must be
10 specified by general law. The period of time for which this
11 exemption may be granted to a property owner shall be
12 determined by general law.

13 (f) If the legislature determines that it is not
14 economically cost-effective to administer, assess, and collect
15 taxes on certain types of tangible personal property, such
16 property may by general law be exempted from ad valorem
17 taxation.

18 BE IT FURTHER RESOLVED that the following statement be
19 placed on the ballot:

20 CONSTITUTIONAL AMENDMENT

21 ARTICLE VII, SECTION 3

22 AD VALOREM TAX EXEMPTION FOR CERTAIN TANGIBLE PERSONAL
23 PROPERTY.--Proposing an amendment to the State Constitution,
24 effective January 1, 2003, to allow the exemption from ad
25 valorem taxation of certain tangible personal property if the
26 Legislature has determined that collecting the taxes would be
27 economically infeasible.

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