

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Brown-Waite

316-1791-02

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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 homestead 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 noncommercial ~~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)~~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.~~(A)~~ Three percent (3%) of the assessment for the  
13 prior year.

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

19 (2)~~2~~. No assessment shall exceed just value.

20 (3)~~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)~~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)~~5~~. Changes, additions, reductions, or improvements  
29 to 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  
2 shall be assessed as provided herein.

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

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

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

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

30 (1) The increase in assessed value resulting from  
31 construction or reconstruction of the property.

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 homestead property resulting  
11 from constructing living quarters for a parent or grandparent  
12 of the property owner or the property owner's spouse who is 62  
13 years old or older and to limit the amount of such exemption  
14 to the increase in assessed value resulting from such  
15 construction or 20 percent of the total assessed value of the  
16 property as improved, whichever is less.

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18                               STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
19                               COMMITTEE SUBSTITUTE FOR  
20                               SJR 504

21 The difference between the joint resolution and the committee  
22 substitute is technical.