

By the Committee on Comprehensive Planning

316-1134-03

1 Senate Joint Resolution No. ____

2 A joint resolution proposing an amendment to
3 Section 6 of Article VII of the State
4 Constitution to revise the exemption of
5 homestead property from taxation.
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7 Be It Resolved by the Legislature of the State of Florida:
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9 That the following amendment to Section 6 of Article
10 VII of the State Constitution is agreed to and shall be
11 submitted to the electors of this state for approval or
12 rejection at the next general election and, if approved, shall
13 take effect January 1, 2005:

14 ARTICLE VII

15 FINANCE AND TAXATION

16 SECTION 6. Homestead exemptions.--

17 (a) Every person who has the legal or equitable title
18 to real estate and maintains thereon the permanent residence
19 of the owner, or another legally or naturally dependent upon
20 the owner, shall be exempt from taxation thereon, except
21 assessments for special benefits, up to an amount equal to
22 one-half of the assessed valuation of the real estate or
23 twenty-five thousand dollars, whichever is less ~~five thousand~~
24 ~~dollars~~, upon establishment of right thereto in the manner
25 prescribed by law. The real estate may be held by legal or
26 equitable title, by the entireties, jointly, in common, as a
27 condominium, or indirectly by stock ownership or membership
28 representing the owner's or member's proprietary interest in a
29 corporation owning a fee or a leasehold initially in excess of
30 ninety-eight years.

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1 (b) Not more than one exemption shall be allowed any
2 individual or family unit or with respect to any residential
3 unit. No exemption shall exceed the value of the real estate
4 assessable to the owner or, in case of ownership through stock
5 or membership in a corporation, the value of the proportion
6 which the interest in the corporation bears to the assessed
7 value of the property. The exemption does not apply with
8 respect to any assessment roll until that roll is first
9 determined to be in compliance with section 4 by a state
10 agency designated by general law.

11 ~~(c) By general law and subject to conditions specified~~
12 ~~therein, the exemption shall be increased to a total of~~
13 ~~twenty-five thousand dollars of the assessed value of the real~~
14 ~~estate for each school district levy. By general law and~~
15 ~~subject to conditions specified therein, the exemption for all~~
16 ~~other levies may be increased up to an amount not exceeding~~
17 ~~ten thousand dollars of the assessed value of the real estate~~
18 ~~if the owner has attained age sixty-five or is totally and~~
19 ~~permanently disabled and if the owner is not entitled to the~~
20 ~~exemption provided in subsection (d).~~

21 ~~(d) By general law and subject to conditions specified~~
22 ~~therein, the exemption shall be increased to a total of the~~
23 ~~following amounts of assessed value of real estate for each~~
24 ~~levy other than those of school districts: fifteen thousand~~
25 ~~dollars with respect to 1980 assessments; twenty thousand~~
26 ~~dollars with respect to 1981 assessments; twenty-five thousand~~
27 ~~dollars with respect to assessments for 1982 and each year~~
28 ~~thereafter. However, such increase shall not apply with~~
29 ~~respect to any assessment roll until such roll is first~~
30 ~~determined to be in compliance with the provisions of section~~
31 ~~4 by a state agency designated by general law. This~~

1 ~~subsection shall stand repealed on the effective date of any~~
2 ~~amendment to section 4 which provides for the assessment of~~
3 ~~homestead property at a specified percentage of its just~~
4 ~~value.~~

5 (c)~~(e)~~ By general law and subject to conditions
6 specified therein, the Legislature may provide to renters, who
7 are permanent residents, ad valorem tax relief on all ad
8 valorem tax levies. Such ad valorem tax relief shall be in the
9 form and amount established by general law.

10 (d)~~(f)~~ The legislature may, by general law, allow
11 counties or municipalities, for the purpose of their
12 respective tax levies and subject to the provisions of general
13 law, to grant an additional homestead tax exemption not
14 exceeding twenty-five thousand dollars to any person who has
15 the legal or equitable title to real estate and maintains
16 thereon the permanent residence of the owner and who has
17 attained age sixty-five and whose household income, as defined
18 by general law, does not exceed twenty thousand dollars. The
19 general law must allow counties and municipalities to grant
20 this additional exemption, within the limits prescribed in
21 this subsection, by ordinance adopted in the manner prescribed
22 by general law, and must provide for the periodic adjustment
23 of the income limitation prescribed in this subsection for
24 changes in the cost of living.

25 BE IT FURTHER RESOLVED that the following statement be
26 placed on the ballot:

27 CONSTITUTIONAL AMENDMENT

28 ARTICLE VII, SECTION 6

29 HOMESTEAD TAX EXEMPTION.--Proposing an amendment to the
30 State Constitution, effective January 1, 2005, to limit the
31 homestead tax exemption to \$25,000 or an amount equal to

1 one-half of the assessed valuation of the property, whichever
2 is less.
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