

By the Committee on Comprehensive Planning

316-1135-03

1 Senate Joint Resolution No. ____

2 A joint resolution proposing an amendment to
3 Section 4 of Article VII of the State
4 Constitution, relating to taxation of real
5 property, to authorize the partial-year
6 assessment of real property.

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

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10 That the following amendment to Section 4 of Article
11 VII of the State Constitution is agreed to and shall be
12 submitted to the electors of this state for approval or
13 rejection at the next general election and, if approved, shall
14 take effect January 1, 2005:

15 ARTICLE VII

16 FINANCE AND TAXATION

17 SECTION 4. Taxation; assessments.--By general law
18 regulations shall be prescribed which shall secure a just
19 valuation of all property for ad valorem taxation, provided:

20 (a) Agricultural land, land producing high water
21 recharge to Florida's aquifers, or land used exclusively for
22 noncommercial recreational purposes may be classified by
23 general law and assessed solely on the basis of character or
24 use.

25 (b) Pursuant to general law tangible personal property
26 held for sale as stock in trade and livestock may be valued
27 for taxation at a specified percentage of its value, may be
28 classified for tax purposes, or may be exempted from taxation.

29 (c) All persons entitled to a homestead exemption
30 under Section 6 of this Article shall have their homestead
31 assessed at just value as of January 1 of the year following

1 the effective date of this amendment. This assessment shall
2 change only as provided herein.

3 (1) Assessments subject to this provision shall be
4 changed annually ~~on January 1st of each year~~; but those
5 changes in assessments shall not exceed the lower of the
6 following:

7 a. Three percent (3%) of the assessment for the prior
8 year.

9 b. The percent change in the Consumer Price Index for
10 all urban consumers, U.S. City Average, all items 1967=100, or
11 successor reports for the preceding calendar year as initially
12 reported by the United States Department of Labor, Bureau of
13 Labor Statistics.

14 (2) No assessment shall exceed just value.

15 (3) After any change of ownership, as provided by
16 general law, homestead property shall be assessed at just
17 value ~~as of January 1 of the following year~~. Thereafter, the
18 homestead shall be assessed as provided herein.

19 (4) New homestead property shall be assessed at just
20 value as of ~~January 1st of the year following~~ the
21 establishment of the homestead. That assessment shall only
22 change as provided herein.

23 (5) Changes, additions, reductions, or improvements to
24 homestead property shall be assessed as provided for by
25 general law; provided, however, after the adjustment for any
26 change, addition, reduction, or improvement, the property
27 shall be assessed as provided herein.

28 (6) In the event of a termination of homestead status,
29 the property shall be assessed as provided by general law.

30 (7) The provisions of this amendment are severable.

31 If any of the provisions of this amendment shall be held

1 unconstitutional by any court of competent jurisdiction, the
2 decision of such court shall not affect or impair any
3 remaining provisions of this amendment.

4 (d) The legislature may, by general law, for
5 assessment purposes and subject to the provisions of this
6 subsection, allow counties and municipalities to authorize by
7 ordinance that historic property may be assessed solely on the
8 basis of character or use. Such character or use assessment
9 shall apply only to the jurisdiction adopting the ordinance.
10 The requirements for eligible properties must be specified by
11 general law.

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

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

25 (2) Twenty percent of the total assessed value of the
26 property as improved.

27 (f) Real property may be assessed as provided by
28 general law on the basis of a partial year beginning on the
29 actual date of substantial completion of improvements to the
30 property.

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1 BE IT FURTHER RESOLVED that the following statement be
2 placed on the ballot:

3 CONSTITUTIONAL AMENDMENT

4 ARTICLE VII, SECTION 4

5 AD VALOREM PROPERTY TAXES.--Proposing an amendment to
6 the State Constitution, effective January 1, 2005, to
7 authorize the assessment of real property on the basis of a
8 partial year dating from the substantial completion of
9 improvements to the property.

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