

By Senator Campbell

32-1029B-03

1                                   A bill to be entitled  
2           An act relating to property tax administration;  
3           creating s. 192.124, F.S.; requiring that a  
4           disclosure concerning ad valorem taxes be made  
5           to the purchaser of residential property;  
6           amending s. 193.023, F.S.; providing that the  
7           property appraiser, or his or her  
8           representative, has the right of entry and  
9           access for purposes of making assessments;  
10          requiring reasonable notification and  
11          presentation of credentials; amending s.  
12          193.074, F.S.; providing for the  
13          confidentiality of a tax return to be  
14          maintained by the value adjustment board;  
15          amending s. 194.034, F.S.; requiring notice by  
16          the value adjustment board of the final date  
17          for filing an action in the circuit court;  
18          amending s. 194.192, F.S.; providing for  
19          interest payments for overpayments of property  
20          taxes; amending s. 195.027, F.S.; providing for  
21          the confidentiality of taxpayer records to be  
22          maintained by the value adjustment board;  
23          amending s. 195.062, F.S.; authorizing the  
24          Department of Revenue to amend the manual of  
25          instructions for property appraisers; amending  
26          s. 195.096, F.S.; authorizing the Department of  
27          Revenue to select certain counties for an  
28          estimated review of assessment rolls in lieu of  
29          an in-depth study; providing that the  
30          department's appraiser, or his or her  
31          representative, has the right of entry and

1 access for purposes of making inspections;  
2 requiring reasonable notification and  
3 presentation of credentials; amending s.  
4 195.097, F.S.; revising the date for the  
5 department to issue certain notices to property  
6 appraisers; specifying circumstances under  
7 which the department may require that a  
8 property appraiser and the appraiser's staff  
9 undergo training as a condition of roll  
10 approval; amending s. 196.101, F.S.; providing  
11 for the confidentiality of a tax return to be  
12 maintained by the value adjustment board;  
13 amending s. 201.022, F.S.; requiring that  
14 documentary stamp tax returns be filed with the  
15 county property appraiser; authorizing the  
16 department to require additional information;  
17 requiring that documentary stamp tax returns be  
18 filed through an electronic data interchange;  
19 requiring the department to prescribe the  
20 method, form, and content of the returns;  
21 providing for waiver of the requirement under  
22 certain circumstances; amending s. 475.422,  
23 F.S.; requiring that a real estate broker or  
24 salesperson make a disclosure concerning ad  
25 valorem taxes to the purchaser of residential  
26 property; providing an effective date.

27  
28 Be It Enacted by the Legislature of the State of Florida:

29  
30 Section 1. Section 192.124, Florida Statutes, is  
31 created to read:

1           192.124 Disclosure of ad valorem taxes upon sale of  
2 residential property.--Upon receiving an offer for the  
3 purchase of residential property, the seller must provide a  
4 written disclosure to the purchaser which notifies the  
5 purchaser that the ad valorem taxes on the property for the  
6 tax year subsequent to the purchase may be in excess of the ad  
7 valorem taxes assessed at the time of the sale and that ad  
8 valorem taxes are required to be assessed at just value on  
9 property in the year following a sale if a change in ownership  
10 has occurred, as defined by law. At the time of or prior to  
11 acceptance of an offer for the purchase of residential  
12 property, the purchaser must sign the disclosure.

13           Section 2. Subsection (2) of section 193.023, Florida  
14 Statutes, is amended to read:

15           193.023 Duties of the property appraiser in making  
16 assessments.--

17           (2) In making his or her assessment of the value of  
18 real property, the property appraiser is required to inspect  
19 physically the property every 3 years to ensure that the tax  
20 roll meets all the requirements of law. However, the property  
21 appraiser shall physically inspect any parcel of taxable real  
22 property upon the request of the taxpayer or owner. The  
23 property appraiser, or his or her authorized representative,  
24 shall have the right of entry and access onto the property to  
25 make inspections required under this section. The taxpayer is  
26 deemed to give implied consent to a view of the full curtilage  
27 and of the exterior of any structure. If, upon reasonable  
28 notification and presentation of proper credentials, a  
29 taxpayer refuses entry or such view during the hours of 8 a.m.  
30 to 8 p.m. to perform any duty imposed by law, the property  
31 appraiser shall give written notice to the taxpayer that right

1 of entry and access onto the property to make inspections is  
2 required and that without such access the property appraiser  
3 may estimate the assessment from such information as is  
4 available. If the taxpayer petitions to challenge such  
5 estimate, the taxpayer may not proceed until access is  
6 permitted and, following such access, the property appraiser  
7 has recalculated the assessment. The property appraiser may  
8 serve the notice of inspection by certified mail, restricted  
9 delivery, return receipt requested. Alternatively, the  
10 property appraiser may serve the notice by any means permitted  
11 for service of process in a civil action. For purposes of this  
12 section, an authorized employee of the property appraiser may  
13 serve the notice and execute an affidavit of service. Service  
14 by certified mail is completed when the certified mail is  
15 received or refused by the addressee or by an authorized agent  
16 as designated by the addressee in writing.

17 Section 3. Section 193.074, Florida Statutes, is  
18 amended to read:

19 193.074 Confidentiality of returns.--All returns of  
20 property and returns required by s. 201.022 submitted by the  
21 taxpayer pursuant to law shall be deemed to be confidential in  
22 the hands of the property appraiser, the clerk of the circuit  
23 court, the value adjustment board,the department, the tax  
24 collector, the Auditor General, and the Office of Program  
25 Policy Analysis and Government Accountability, and their  
26 employees and persons acting under their supervision and  
27 control, except upon court order or order of an administrative  
28 body having quasi-judicial powers in ad valorem tax matters,  
29 and such returns are exempt from the provisions of s.  
30 119.07(1). If such information is used in a hearing by the  
31 value adjustment board or by a taxpayer, its agent, or a

1 property appraiser, such information shall be maintained so  
2 that all taxpayer identifying information is confidential  
3 except upon court order.

4 Section 4. Subsection (2) of section 194.034, Florida  
5 Statutes, is amended to read:

6 194.034 Hearing procedures; rules.--

7 (2) In each case, except when a complaint is withdrawn  
8 by the petitioner or is acknowledged as correct by the  
9 property appraiser, the value adjustment board shall render a  
10 written decision. All such decisions shall be issued within 20  
11 calendar days of the last day the board is in session under s.  
12 194.032. The decision of the board shall contain findings of  
13 fact and conclusions of law, ~~and~~ shall include reasons for  
14 upholding or overturning the determination of the property  
15 appraiser, and shall state the final date for filing an action  
16 in the circuit court under s. 194.171(2). If the property  
17 appraiser has not yet made the initial certification of the  
18 roll under s. 193.122(2) on the date the board completes all  
19 of its hearings and issues its Certificate of Value Adjustment  
20 Board for the roll, which certificate indicates that all  
21 hearings required by s. 194.032 have been held, the board  
22 shall state that the final date for filing an action in the  
23 circuit court is 60 days after the date of the initial  
24 certification of the roll by the property appraiser under s.  
25 193.122(2).When a special master has been appointed, the  
26 recommendations of the special master shall be considered by  
27 the board. The clerk, upon issuance of the decisions, shall,  
28 on a form provided by the Department of Revenue, notify by  
29 first-class mail each taxpayer, the property appraiser, and  
30 the department of the decision of the board.

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1           Section 5. Subsection (3) is added to section 194.192,  
2 Florida Statutes, to read:

3           194.192 Costs; interest on unpaid taxes; penalty.--

4           (3) If the court finds in an action under s. 194.171  
5 that the amount of tax owed by the taxpayer is less than the  
6 amount the taxpayer has paid, it shall enter judgment in favor  
7 of the taxpayer for interest on such surplus funds from the  
8 date of payment to the date the refund is paid, at the  
9 adjusted annual rate established effective January 1, pursuant  
10 to s. 213.235(3)(a), except that the annual rate of interest  
11 may not be greater than 11 percent per year, from the date the  
12 tax was paid through the date of judgment.

13           Section 6. Subsection (3) of section 195.027, Florida  
14 Statutes, is amended to read:

15           195.027 Rules and regulations.--

16           (3) The rules and regulations shall provide procedures  
17 whereby the property appraiser, the Department of Revenue, and  
18 the Auditor General shall be able to obtain access, where  
19 necessary, to financial records relating to nonhomestead  
20 property which records are required to make a determination of  
21 the proper assessment as to the particular property in  
22 question. Access to a taxpayer's records shall be provided  
23 only in those instances in which it is determined that such  
24 records are necessary to determine either the classification  
25 or the value of the taxable nonhomestead property. Access  
26 shall be provided only to those records which pertain to the  
27 property physically located in the taxing county as of January  
28 1 of each year and to the income from such property generated  
29 in the taxing county for the year in which a proper assessment  
30 is made. All records produced by the taxpayer under this  
31 subsection shall be deemed to be confidential in the hands of

1 the property appraiser, the department, the tax collector, the  
2 value adjustment board, and the Auditor General and shall not  
3 be divulged to any person, firm, or corporation, except upon  
4 court order or order of an administrative body having  
5 quasi-judicial powers in ad valorem tax matters, and such  
6 records are exempt from the provisions of s. 119.07(1). If  
7 such information is used in a hearing by the value adjustment  
8 board or by a taxpayer, its agent, or a property appraiser,  
9 such information shall be maintained so that all taxpayer  
10 identifying information is confidential except upon court  
11 order.

12 Section 7. Subsection (1) of section 195.062, Florida  
13 Statutes, is amended to read:

14 195.062 Manual of instructions.--

15 (1) The department shall prepare and maintain a  
16 current manual of instructions for property appraisers and  
17 other officials connected with the administration of property  
18 taxes. This manual shall contain all:

19 (a) Rules and regulations.

20 (b) Standard measures of value.

21 (c) Forms and instructions relating to the use of  
22 forms and maps.

23  
24 Consistent with s. 195.032, the standard measures of value  
25 shall be adopted in general conformity with the procedures set  
26 forth in s. 120.54, but shall not have the force or effect of  
27 such rules and shall be used only to assist tax officers in  
28 the assessment of property as provided by s. 195.002.  
29 Guidelines may be updated annually to incorporate new market  
30 data, which may be in tabular form; technical changes; changes  
31 indicated by established court decisions; and, where a summary

1 of justification is set forth in the notice, other changes  
2 that are relevant to appropriate assessment practices or  
3 standard measurements of value. Such new data may be  
4 incorporated into the guidelines on the approval of the  
5 executive director if after notice in substantial conformity  
6 with s. 120.54 there is no objection filed with the department  
7 within 45 days, and the procedures set forth in s. 120.54 do  
8 not apply.

9 Section 8. Subsection (2) of section 195.096, Florida  
10 Statutes, is amended to read:

11 195.096 Review of assessment rolls.--

12 (2) The department shall conduct, no less frequently  
13 than once every 2 years, an in-depth review of the assessment  
14 rolls of each county. The department need not individually  
15 study every use-class of property set forth in s. 195.073, but  
16 shall at a minimum study the level of assessment in relation  
17 to just value of each classification specified in subsection  
18 (3). Such in-depth review may include proceedings of the value  
19 adjustment board and the audit or review of procedures used by  
20 the counties to appraise property. However, the department may  
21 select counties that have exceeded standards in recent past  
22 studies and may use a projection as provided in paragraph  
23 (3)(b) for 1 year to review those counties' assessment rolls,  
24 if department resources indicate. These counties may be  
25 selected for such audit or review procedures if the level of  
26 assessment has been at or over the statewide average and no  
27 postaudit notification of defects has been issued for the past  
28 three in-depth studies.

29 (a) The department shall, at least 30 days prior to  
30 the beginning of an in-depth review in any county, notify the  
31 property appraiser in the county of the pending review. At the



1 request of the property appraiser, the department shall  
2 consult with the property appraiser regarding the  
3 classifications and strata to be studied, in order that the  
4 review will be useful to the property appraiser in evaluating  
5 his or her procedures.

6 (b) Every property appraiser whose upcoming roll is  
7 subject to an in-depth review shall, if requested by the  
8 department on or before January 1, deliver upon completion of  
9 the assessment roll a list of the parcel numbers of all  
10 parcels that did not appear on the assessment roll of the  
11 previous year, indicating the parcel number of the parent  
12 parcel from which each new parcel was created or "cut out."

13 (c) In conducting assessment ratio studies, the  
14 department must use a representative or statistically reliable  
15 sample of properties in tests of each classification, stratum,  
16 or roll made the subject of a ratio study published by it. The  
17 department shall document and retain records of the measures  
18 of representativeness of the properties studied in compliance  
19 with this section. Such documentation must include a record of  
20 findings used as the basis for the approval or disapproval of  
21 the tax roll in each county pursuant to s. 193.1142. In  
22 addition, to the greatest extent practicable, the department  
23 shall study assessment roll strata by value groups or market  
24 areas for each classification, subclassification, or stratum  
25 to be studied, to assure the representativeness of ratio study  
26 samples. For purposes of this section, the department shall  
27 rely primarily on an assessment-to-sales-ratio study in  
28 conducting assessment ratio studies in those classifications  
29 of property specified in subsection (3) for which there are  
30 adequate market sales. The department shall compute the

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1 median and the value-weighted mean for each classification or  
2 subclassification studied and for the roll as a whole.

3 (d) In the conduct of these reviews, the department  
4 shall adhere to all standards to which the property appraisers  
5 are required to adhere.

6 (e) The department and each property appraiser shall  
7 cooperate in the conduct of these reviews, and each shall make  
8 available to the other all matters and records bearing on the  
9 preparation and computation of the reviews. The property  
10 appraisers shall provide any and all data requested by the  
11 department in the conduct of the studies, including electronic  
12 data processing tapes. Any and all data and samples developed  
13 or obtained by the department in the conduct of the studies  
14 shall be confidential and exempt from the provisions of s.  
15 119.07(1) until a presentation of the findings of the study is  
16 made to the property appraiser. After the presentation of the  
17 findings, the department shall provide any and all data  
18 requested by a property appraiser developed or obtained in the  
19 conduct of the studies, including tapes. Direct reimbursable  
20 costs of providing the data shall be borne by the party who  
21 requested it. Copies of existing data or records, whether  
22 maintained or required pursuant to law or rule, or data or  
23 records otherwise maintained, shall be submitted within 30  
24 days from the date requested, in the case of written or  
25 printed information, and within 14 days from the date  
26 requested, in the case of computerized information.

27 (f) The department's appraiser, or his or her  
28 authorized representative, shall have the right of entry and  
29 access onto the property to make inspections required under  
30 this section. The taxpayer is deemed to give implied consent  
31 to a view of the full curtilage and of the exterior of any

1 structure. If, upon reasonable notification and presentation  
2 of proper credentials, a taxpayer refuses entry or such view  
3 during the hours of 8 a.m. to 8 p.m. to perform any duty  
4 imposed by law, the department may in its discretion void the  
5 parcel as a sample in its studies, estimate the value using  
6 the best information available, or refer the parcel to the  
7 property appraiser who shall proceed as provided in this  
8 section.

9 (g)~~(f)~~ Within 120 days following the receipt of a  
10 county assessment roll by the executive director of the  
11 department pursuant to s. 193.1142(1), or within 10 days after  
12 approval of the assessment roll, whichever is later, the  
13 department shall complete the review for that county and  
14 forward its findings, including a statement of the confidence  
15 interval for the median and such other measures as may be  
16 appropriate for each classification or subclassification  
17 studied and for the roll as a whole, employing a 95-percent  
18 level of confidence, and related statistical and analytical  
19 details to the Senate Finance, Taxation, and Claims Committee;  
20 the House Finance and Taxation Committee; and the appropriate  
21 property appraiser.

22 Section 9. Subsections (1) and (2) of section 195.097,  
23 Florida Statutes, are amended to read:

24 195.097 Postaudit notification of defects; supervision  
25 by the department.--

26 (1)(a) Upon evaluation of any reviews, studies, or  
27 findings of the Department of Revenue, the executive director  
28 of the department shall issue a notice to any property  
29 appraiser who the executive director has determined has one or  
30 more classes or other strata of property listed on the  
31 assessment rolls in a manner inconsistent with the

1 requirements of law, or is otherwise not assessing in  
2 accordance with law. The executive director shall specify in  
3 his or her notice the classes or strata of property that have  
4 been improperly assessed on the prior year's roll, the nature  
5 of the defect or defects, and the requirements of the  
6 department to obtain approval of the current year's assessment  
7 roll. Such notice shall be provided to the property appraiser  
8 no later than October 30 ~~November 15~~.

9 (b) Notwithstanding other provisions of this section,  
10 the executive director is not required to notice as a defect a  
11 class or stratum of property which, based upon the evaluation  
12 of any review, study, or finding of the department, indicates  
13 an assessment level of more than 100 percent of just value in  
14 any class or stratum of property on the prior year's tax roll.

15 (c) The department may, as aid and assistance, include  
16 in the notice that counties falling below standards in such  
17 studies are subject to audit or review of procedures used by  
18 the counties to appraise property.

19 1. Such notice shall require training for the property  
20 appraiser and shall include his or her staff when the  
21 procedural audit, or the nature of the defects specified,  
22 indicates that failure to assess in accordance with law is  
23 from disregard of the guidelines or other systemic problem  
24 that could be cured by such training.

25 2. Roll approval shall be conditioned on the property  
26 appraiser and any staff passing training courses, including  
27 those offered by the department on the real property  
28 guidelines, with an acceptable score.

29 3. Any additional salary pursuant to chapter 145 shall  
30 be forfeited until the property appraiser is in full  
31

1 compliance with any such notice requiring the property  
2 appraiser and any staff to receive and pass training courses.

3 (2) Within 15 days after receipt of a notice, but no  
4 later than November 15 ~~December 1~~, the property appraiser  
5 shall either notify the executive director in writing of his  
6 or her intention to comply or request an immediate conference  
7 with the executive director for the purpose of attempting to  
8 resolve differences between the property appraiser and the  
9 executive director. Such conference shall be held no later  
10 than November 30 ~~December 15~~. At the conclusion of the  
11 conference, but no later than December 15 ~~January 1~~, the  
12 executive director shall issue an administrative order, which  
13 order shall incorporate the remedial steps, if any, to be  
14 taken by the property appraiser to ensure that all property on  
15 his or her rolls is assessed at just value. Such remedial  
16 steps may include required training for the property  
17 appraiser, including his or her staff, and audit or review of  
18 procedures used by the appraiser to appraise property. An  
19 administrative order shall also be issued in the case of a  
20 property appraiser who has stated his or her intention to  
21 comply.

22 Section 10. Paragraph (c) of subsection (4) of section  
23 196.101, Florida Statutes, is amended to read:

24 196.101 Exemption for totally and permanently disabled  
25 persons.--

26 (4)

27 (c) The department shall require by rule that the  
28 taxpayer annually submit a sworn statement of gross income,  
29 pursuant to paragraph (a). The department shall require that  
30 the filing of such statement be accompanied by copies of  
31 federal income tax returns for the prior year, wage and

1 earnings statements (W-2 forms), and other documents it deems  
2 necessary, for each member of the household. The taxpayer's  
3 statement shall attest to the accuracy of such copies. The  
4 department shall prescribe and furnish a form to be used for  
5 this purpose which form shall include spaces for a separate  
6 listing of United States Department of Veterans Affairs  
7 benefits and social security benefits. All records produced by  
8 the taxpayer under this paragraph are confidential in the  
9 hands of the property appraiser, the value adjustment board,  
10 the department, the tax collector, the Auditor General, and  
11 the Office of Program Policy Analysis and Government  
12 Accountability and shall not be divulged to any person, firm,  
13 or corporation except upon court order or order of an  
14 administrative body having quasi-judicial powers in ad valorem  
15 tax matters, and such records are exempt from the provisions  
16 of s. 119.07(1). If divulged upon order of an administrative  
17 body having quasi-judicial powers in ad valorem tax matters,  
18 such records shall be confidential in the hands of such body.  
19 If such records are offered into evidence to such  
20 administrative body having quasi-judicial powers in ad valorem  
21 tax matters, such records shall be confidential in the hands  
22 of such body. If such information is used in a hearing of the  
23 value adjustment board by a taxpayer, its agent, or a property  
24 appraiser, such information shall be maintained so that all  
25 taxpayer identifying information is confidential except upon  
26 court order.

27 Section 11. Section 201.022, Florida Statutes, is  
28 amended to read:

29 201.022 Consideration for realty; filing of return  
30 condition precedent to recordation; penalty; compensation of  
31

1 property appraisers ~~clerks~~; failure to file does not impair  
2 validity.--  
3 (1) As a condition precedent to the recordation of any  
4 deed transferring an interest in real property, the grantor or  
5 the grantee or agent for grantee shall execute and file a  
6 return with the county property appraiser ~~clerk of the circuit~~  
7 ~~court~~. The return shall state the actual consideration paid  
8 for the interest in real property. The return shall state the  
9 parcel identification number maintained by the county property  
10 appraiser in a manner prescribed by the department. If the  
11 parcel is a split or cutout parcel, the return shall state the  
12 parent parcel identification number if the parcel  
13 identification number has not been assigned. The Department of  
14 Revenue may require the return to list additional descriptive  
15 characteristics of the property to ensure that all property is  
16 assessed at just value.The return shall not be recorded or  
17 otherwise become a public record and shall be confidential as  
18 provided by s. 193.074, and shall be exempt from the  
19 provisions of s. 119.07(1), except that the Department of  
20 Environmental Protection or, through the Department of  
21 Environmental Protection, its contract appraiser, shall have  
22 access to the return to verify the consideration paid in any  
23 transfer of an interest in real property, when such transfer  
24 is considered as part of an appraisal for a proposed land  
25 acquisition project conducted pursuant to any Department of  
26 Environmental Protection land acquisition program. The  
27 Department of Environmental Protection or its contract  
28 appraiser shall not disclose the contents of the return to any  
29 other public or private entity. The original return shall be  
30 forwarded to the Department of Revenue, and a copy shall be  
31 maintained by ~~forwarded to~~ the property appraiser.

1           (2) If the return required by this section is not  
2 executed and filed, any person who is required by this section  
3 to execute and file a return with the county property  
4 appraiser ~~clerk of the circuit court~~ and who fails to do so  
5 shall be liable for a penalty of \$25. The penalty imposed by  
6 this subsection shall be in addition to any other penalty  
7 imposed by the revenue laws of this state. The penalty may be  
8 compromised as provided in s. 213.21.

9           (3) If the return required by this section is not  
10 executed and filed, the county property appraiser ~~clerk of the~~  
11 ~~circuit court~~ is required to execute and file the return with  
12 the department. The county property appraiser ~~clerk~~ shall be  
13 compensated 1.0 percent of the tax paid on deeds as the cost  
14 of processing the return required by this section in the form  
15 of a deduction from the amount of the tax due and remitted by  
16 the county property appraiser ~~clerk~~, and the department shall  
17 allow the deduction to the county property appraiser ~~clerk~~  
18 paying and remitting the tax in the manner provided by the  
19 department. However, no deduction or allowance shall be  
20 granted when there is a manifest failure to maintain proper  
21 records or make proper reports. The compensation provided  
22 herein shall be in addition to that provided in s. 201.11(2).

23           (4) Failure of any grantee or the grantee's agent to  
24 execute and file with the county property appraiser ~~clerk of~~  
25 ~~the circuit court~~ a return required in subsection (1) does not  
26 impair the validity of any deed heretofore or hereafter  
27 recorded transferring an interest in real property.

28           (5)(a) Effective January 1, 2006, a person who is  
29 required to file a return shall initiate that return through  
30 an electronic data interchange. The department shall prescribe  
31 the acceptable method of transfer; the method, form, and



1 content of the electronic data interchange, giving due regard  
2 to developing uniform standards for formats as adopted by the  
3 American National Standards Institute; the circumstances under  
4 which an electronic data interchange will substitute for  
5 filing another form of return; and the means, if any, by which  
6 taxpayers will be provided with acknowledgements.

7 (b) The department may waive the requirement to make a  
8 return through an electronic data interchange at the request  
9 of the county property appraiser if he or she demonstrates  
10 that the requirement creates a hardship for the taxpayer or  
11 the property appraiser. This hardship may be due to problems  
12 with computer capabilities, data system changes, operating  
13 procedures, or data interchange systems of the county property  
14 appraiser.

15 (c) The department shall prescribe the format and  
16 instructions for filing returns through electronic data  
17 interchange to ensure a full collection from taxpayers and an  
18 accounting for the taxes due. The failure of any taxpayer to  
19 use such format does not relieve the taxpayer of the  
20 obligation to pay the tax at the time and in the manner  
21 required.

22 Section 12. Present subsection (2) of section 475.422,  
23 Florida Statutes, is redesignated as subsection (3), and a new  
24 subsection (2) is added to that section to read:

25 475.422 Disclosure.--

26 (2) Upon receiving an offer for the purchase of  
27 residential property, a licensee must provide a written  
28 disclosure to the purchaser which notifies the purchaser that  
29 the ad valorem taxes on the property for the tax year  
30 subsequent to the purchase may be in excess of the ad valorem  
31 taxes assessed at the time of the sale and that ad valorem

1 taxes are required to be assessed at just value on property in  
2 the year following a sale if a change in ownership has  
3 occurred, as defined by law. At the time of or prior to  
4 acceptance of an offer for the purchase of residential  
5 property, the licensee shall require the purchaser to sign the  
6 disclosure.

7 Section 13. This act shall take effect January 1,  
8 2004.

9  
10 \*\*\*\*\*

11 SENATE SUMMARY

12 Requires that the seller and the real estate broker or  
13 salesperson make certain written disclosures concerning  
14 ad valorem taxes to the purchaser of residential  
15 property. Provides that a property appraiser of the  
16 county or the department has the right of entry and  
17 access for purposes of making assessments and  
18 inspections. Requires that the value adjustment board  
19 maintain the confidentiality of tax returns. Provides for  
20 payment of interest on overpayments of property taxes.  
21 Provides for the Department of Revenue to conduct an  
22 estimated review of assessment rolls under certain  
23 circumstances. Requires that documentary stamp tax  
24 returns be filed with the county property appraiser  
25 rather than with the clerk of the court. Provides for  
26 filing returns through an electronic data interchange.  
27 (See bill for details.)  
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