



HJR 0701

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House Joint Resolution

A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to grant an additional homestead exemption and require the Legislature to appropriate compensation for lost local revenues.

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

That the amendment to Section 6 of Article VII of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 2004:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.--

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entirety, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or member's proprietary interest in a corporation owning a fee or a leasehold initially in excess of ninety-eight years.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate



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31 assessable to the owner or, in case of ownership through stock
32 or membership in a corporation, the value of the proportion
33 which the interest in the corporation bears to the assessed
34 value of the property.

35 (c) By general law and subject to conditions specified
36 therein, the exemption shall be increased to a total of twenty-
37 five thousand dollars of the assessed value of the real estate
38 for each school district levy. By general law and subject to
39 conditions specified therein, the exemption for all other levies
40 may be increased up to an amount not exceeding ten thousand
41 dollars of the assessed value of the real estate if the owner
42 has attained age sixty-five or is totally and permanently
43 disabled and if the owner is not entitled to the exemption
44 provided in subsection (d).

45 (d) By general law and subject to conditions specified
46 therein, the exemption shall be increased to a total of the
47 following amounts of assessed value of real estate for each levy
48 other than those of school districts: fifteen thousand dollars
49 with respect to 1980 assessments; twenty thousand dollars with
50 respect to 1981 assessments; twenty-five thousand dollars with
51 respect to assessments for 1982 and each year thereafter.
52 However, such increase shall not apply with respect to any
53 assessment roll until such roll is first determined to be in
54 compliance with the provisions of section 4 by a state agency
55 designated by general law. This subsection shall stand repealed
56 on the effective date of any amendment to section 4 which
57 provides for the assessment of homestead property at a specified
58 percentage of its just value.

59 (e) By general law and subject to conditions specified
60 therein, the Legislature may provide to renters, who are



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61 permanent residents, ad valorem tax relief on all ad valorem tax
62 levies. Such ad valorem tax relief shall be in the form and
63 amount established by general law.

64 (f) The legislature may, by general law, allow counties or
65 municipalities, for the purpose of their respective tax levies
66 and subject to the provisions of general law, to grant an
67 additional homestead tax exemption not exceeding twenty-five
68 thousand dollars to any person who has the legal or equitable
69 title to real estate and maintains thereon the permanent
70 residence of the owner and who has attained age sixty-five and
71 whose household income, as defined by general law, does not
72 exceed twenty thousand dollars. The general law must allow
73 counties and municipalities to grant this additional exemption,
74 within the limits prescribed in this subsection, by ordinance
75 adopted in the manner prescribed by general law, and must
76 provide for the periodic adjustment of the income limitation
77 prescribed in this subsection for changes in the cost of living.

78 (g) By general law and subject to conditions specified
79 therein, effective for assessments for 2005 and each year
80 thereafter, an additional homestead exemption of twenty-five
81 thousand dollars shall be granted to any person who has the
82 legal or equitable title to real estate and maintains thereon
83 the permanent residence of the owner for such real estate
84 assessed at under three hundred thousand dollars in value. The
85 legislature shall, by general law, appropriate funds to be paid
86 to local governments and school boards in an amount sufficient
87 to reimburse said entities for revenue reduction resulting from
88 the implementation of this subsection.

89 BE IT FURTHER RESOLVED that the title and substance of the
90 amendment proposed herein shall appear on the ballot as follows:



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HOMESTEAD EXEMPTIONS

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Proposes an amendment to Section 6 of Article VII of the State Constitution to grant an additional homestead exemption of \$25,000 for permanent residences assessed at under \$300,000 and requires the Legislature to appropriate sufficient funds to compensate local governments and school boards for lost ad valorem tax revenues from implementation of the additional exemption.