

HB 1219

2004
CS

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends
2 the following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to homestead assessments; amending s.
8 193.155, F.S.; providing an additional set of
9 circumstances in which a transfer of title to real
10 property occurs but there is no concomitant change of
11 ownership for the purpose of assessing the property value;
12 providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (3) of section 193.155, Florida
17 Statutes, is amended to read:

18 193.155 Homestead assessments.--Homestead property shall
19 be assessed at just value as of January 1, 1994. Property
20 receiving the homestead exemption after January 1, 1994, shall
21 be assessed at just value as of January 1 of the year in which
22 the property receives the exemption.

23 (3) Except as provided in this subsection, property
 24 assessed under this section shall be assessed at just value as
 25 of January 1 of the year following a change of ownership.
 26 Thereafter, the annual changes in the assessed value of the
 27 property are subject to the limitations in subsections (1) and
 28 (2). For the purpose of this section, a change in ownership
 29 means any sale, foreclosure, or transfer of legal title or
 30 beneficial title in equity to any person, except as provided in
 31 this subsection. There is no change of ownership if:

32 (a) Subsequent to the change or transfer, the same person
 33 is entitled to the homestead exemption as was previously
 34 entitled and:

- 35 1. The transfer of title is to correct an error; or
- 36 2. The transfer is between legal and equitable title;

37 (b) The transfer is between husband and wife, including a
 38 transfer to a surviving spouse or a transfer due to a
 39 dissolution of marriage;

40 (c) The transfer occurs by operation of law under s.
 41 732.4015; ~~or~~

42 (d) Upon the death of the owner, the transfer is between
 43 the owner and another who is a permanent resident and is legally
 44 or naturally dependent upon the owner; or-

45 (e) The transfer adds new owners to the existing
 46 ownership, the new owners do not apply for or claim homestead
 47 exemption on that property, and the original owner who claimed
 48 the homestead exemption continues to qualify for the exemption.

49 Section 2. This act shall take effect upon becoming a law.