

By Senator Saunders

37-1767-04

See HB 59

1                                   A bill to be entitled  
2           An act relating to homestead exemption;  
3           amending s. 196.131, F.S.; providing a  
4           value-based sliding scale of criminal penalties  
5           for claiming homestead exemption if the funds  
6           for the homestead were unlawfully obtained  
7           through the performance of a fraudulent act;  
8           providing an effective date.

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

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12           Section 1. Section 196.131, Florida Statutes, is  
13 amended to read:

14           196.131 Homestead exemptions; claims; receipt; false  
15 information; use of funds from fraudulent acts; penalties.--

16           (1) At the time each taxpayer files claim for  
17 homestead exemption, the property appraiser shall deliver to  
18 the taxpayer a receipt over his or her signature, or that of a  
19 duly authorized deputy, which shall appropriately identify the  
20 property covered in the application, shall bear date as of the  
21 day such application is received by the property appraiser,  
22 and shall include any serial number or other identifying data  
23 desired by said property appraiser. The possession of such  
24 receipt shall constitute conclusive proof of the timely filing  
25 of such application.

26           (2) Any person who knowingly and willfully gives false  
27 information for the purpose of claiming homestead exemption as  
28 provided for in this chapter commits ~~is guilty of~~ a  
29 misdemeanor of the first degree, punishable as provided in s.  
30 775.082 or by fine not exceeding \$5,000, or both.

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1           (3) Any person who knowingly and willfully claims  
2 homestead exemption on a home that has been paid for, in part  
3 or in whole, with funds that are unlawfully obtained through  
4 the performance of a fraudulent act commits, if the assessed  
5 value of the homestead is:

6           (a) At least \$200,000 but less than \$500,000, a felony  
7 of the third degree;

8           (b) At least \$500,000 but less than \$1.5 million, a  
9 felony of the second degree; or

10           (c) At least \$1.5 million, a felony of the first  
11 degree,

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13 punishable as provided in s. 775.082, s. 775.083, or s.  
14 775.084.

15           Section 2. This act shall take effect July 1, 2004.  
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