

By Senator Constantine

22-995-04

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

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

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

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

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

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

1. The transfer of title is to correct an error; or

1           2. The transfer is between legal and equitable title;

2           (b) The transfer is between husband and wife,  
3 including a transfer to a surviving spouse or a transfer due  
4 to a dissolution of marriage;

5           (c) The transfer occurs by operation of law under s.  
6 732.4015; ~~or~~

7           (d) Upon the death of the owner, the transfer is  
8 between the owner and another who is a permanent resident and  
9 is legally or naturally dependent upon the owner; ~~or-~~

10           (e) The transfer adds new owners to the existing  
11 ownership, the new owners do not apply for or claim homestead  
12 exemption, and the original owner who claimed the homestead  
13 exemption continues to qualify for the exemption.

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

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18           SENATE SUMMARY

19           Provides that, for purposes of assessing the value of  
20 homestead property, a change of ownership does not occur  
21 if a transfer of title adds new owners who do not claim a  
22 homestead exemption and the original owner continues to  
23 qualify for the exemption.  
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