

HB 0059

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

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

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

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

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

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

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30       (3) Any person who knowingly and willfully claims  
 31 homestead exemption on a home which has been paid for, in part  
 32 or in whole, with funds which are unlawfully obtained through  
 33 the performance of a fraudulent act commits, if the assessed  
 34 value of the homestead is:

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

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

39       (c) At least \$1.5 million, a felony of the first degree,  
 40  
 41 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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