

House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution relating to classification and assessment of property for ad valorem taxation purposes.

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

That the following amendment to Section 4 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 4. Taxation; assessments.--By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, property used exclusively for working waterfront purposes, property used exclusively for affordable rental housing purposes, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for taxation at a specified percentage of its value, may be classified for tax purposes, or may be exempted from taxation.

HJR 1071

2006

29 (c) All persons entitled to a homestead exemption under
30 Section 6 of this Article shall have their homestead assessed at
31 just value as of January 1 of the year following the effective
32 date of this amendment. This assessment shall change only as
33 provided herein.

34 (1) Assessments subject to this provision shall be changed
35 annually on January 1st of each year; but those changes in
36 assessments shall not exceed the lower of the following:

37 a. Three percent (3%) of the assessment for the prior
38 year.

39 b. The percent change in the Consumer Price Index for all
40 urban consumers, U.S. City Average, all items 1967=100, or
41 successor reports for the preceding calendar year as initially
42 reported by the United States Department of Labor, Bureau of
43 Labor Statistics.

44 (2) No assessment shall exceed just value.

45 (3) After any change of ownership, as provided by general
46 law, homestead property shall be assessed at just value as of
47 January 1 of the following year. Thereafter, the homestead shall
48 be assessed as provided herein.

49 (4) New homestead property shall be assessed at just value
50 as of January 1st of the year following the establishment of the
51 homestead. That assessment shall only change as provided herein.

52 (5) Changes, additions, reductions, or improvements to
53 homestead property shall be assessed as provided for by general
54 law; provided, however, after the adjustment for any change,
55 addition, reduction, or improvement, the property shall be
56 assessed as provided herein.

HJR 1071

2006

57 (6) In the event of a termination of homestead status, the
 58 property shall be assessed as provided by general law.

59 (7) The provisions of this amendment are severable. If any
 60 of the provisions of this amendment shall be held
 61 unconstitutional by any court of competent jurisdiction, the
 62 decision of such court shall not affect or impair any remaining
 63 provisions of this amendment.

64 (d) The legislature may, by general law, for assessment
 65 purposes and subject to the provisions of this subsection, allow
 66 counties and municipalities to authorize by ordinance that
 67 historic property may be assessed solely on the basis of
 68 character or use. Such character or use assessment shall apply
 69 only to the jurisdiction adopting the ordinance. The
 70 requirements for eligible properties must be specified by
 71 general law.

72 (e) A county may, in the manner prescribed by general law,
 73 provide for a reduction in the assessed value of homestead
 74 property to the extent of any increase in the assessed value of
 75 that property which results from the construction or
 76 reconstruction of the property for the purpose of providing
 77 living quarters for one or more natural or adoptive grandparents
 78 or parents of the owner of the property or of the owner's spouse
 79 if at least one of the grandparents or parents for whom the
 80 living quarters are provided is 62 years of age or older. Such a
 81 reduction may not exceed the lesser of the following:

82 (1) The increase in assessed value resulting from
 83 construction or reconstruction of the property.

HJR 1071

2006

84 (2) Twenty percent of the total assessed value of the
 85 property as improved.

86 BE IT FURTHER RESOLVED that the following statement be
 87 placed on the ballot:

88 CONSTITUTIONAL AMENDMENT

89 ARTICLE VII, SECTION 4

90 WORKING WATERFRONT AND AFFORDABLE RENTAL HOUSING PROPERTY
 91 ASSESSMENTS.--Proposing an amendment to the State Constitution
 92 to provide that, for purposes of securing a just valuation of
 93 property for ad valorem taxation, property used exclusively for
 94 working waterfront purposes or affordable rental housing
 95 purposes may be classified by general law and assessed solely on
 96 the basis of character or use.