

By Senator Haridopolos

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to the valuation of property for ad valorem taxation, to provide for freezing the assessment on homestead property for an owner who has legally claimed homestead status for a specified period.

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, 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.

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

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

10 a. Three percent (3%) of the assessment for the prior  
11 year.

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

17 (2) No assessment shall exceed just value.

18 (3) After any change of ownership, as provided by  
19 general law, homestead property shall be assessed at just  
20 value as of January 1 of the following year. Thereafter, the  
21 homestead shall be assessed as provided herein.

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

26 (5) Changes, additions, reductions, or improvements to  
27 homestead property shall be assessed as provided for by  
28 general law; provided, however, after the adjustment for any  
29 change, addition, reduction, or improvement, the property  
30 shall be assessed as provided herein.

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1           (6) If a person has been entitled to a homestead  
2 exemption on specified property for ten consecutive years,  
3 thereafter, the assessed value of that property shall not  
4 increase until the homestead status of the property  
5 terminates.

6           ~~(7)(6)~~ In the event of a termination of homestead  
7 status, the property shall be assessed as provided by general  
8 law.

9           ~~(8)(7)~~ The provisions of this subsection ~~amendment~~ are  
10 severable. If any of the provisions of this subsection  
11 ~~amendment~~ shall be held unconstitutional by any court of  
12 competent jurisdiction, the decision of such court shall not  
13 affect or impair any remaining provisions of this subsection  
14 ~~amendment~~.

15           (d) The legislature may, by general law, for  
16 assessment purposes and subject to the provisions of this  
17 subsection, allow counties and municipalities to authorize by  
18 ordinance that historic property may be assessed solely on the  
19 basis of character or use. Such character or use assessment  
20 shall apply only to the jurisdiction adopting the ordinance.  
21 The requirements for eligible properties must be specified by  
22 general law.

23           (e) A county may, in the manner prescribed by general  
24 law, provide for a reduction in the assessed value of  
25 homestead property to the extent of any increase in the  
26 assessed value of that property which results from the  
27 construction or reconstruction of the property for the purpose  
28 of providing living quarters for one or more natural or  
29 adoptive grandparents or parents of the owner of the property  
30 or of the owner's spouse if at least one of the grandparents  
31 or parents for whom the living quarters are provided is 62

1 | years of age or older. Such a reduction may not exceed the  
2 | lesser of the following:

3 |       (1) The increase in assessed value resulting from  
4 | construction or reconstruction of the property.

5 |       (2) Twenty percent of the total assessed value of the  
6 | property as improved.

7 |       BE IT FURTHER RESOLVED that the following statement be  
8 | placed on the ballot:

9 |                               CONSTITUTIONAL AMENDMENT

10 |                              ARTICLE VII, SECTION 4

11 |           FREEZE ON ASSESSED VALUATION OF HOMESTEAD

12 | PROPERTY.--Proposing an amendment to the State Constitution to  
13 | provide that the assessed value of property on which the same  
14 | person has legally claimed the homestead exemption for 10  
15 | consecutive years shall not increase until the homestead  
16 | status of the property terminates.

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