

By Senator Fasano

11-343-06

See HB 157

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A bill to be entitled

An act relating to homestead assessments;
amending s. 193.155, F.S.; providing an
additional criterion for determining no change
in ownership of homestead property for
homestead assessment purposes; specifying a
condition for a change in ownership; 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 or

3 3. The change or transfer merely adds an additional
4 person or persons to the title and none of the persons added
5 apply for homestead exemption on that property.

6 Notwithstanding this subparagraph, there is a change of
7 ownership if a person who was added to a title as described in
8 this subparagraph applies for a homestead exemption on the
9 property;

10 (b) The transfer is between husband and wife,
11 including a transfer to a surviving spouse or a transfer due
12 to a dissolution of marriage;

13 (c) The transfer occurs by operation of law under s.
14 732.4015; or

15 (d) Upon the death of the owner, the transfer is
16 between the owner and another who is a permanent resident and
17 is legally or naturally dependent upon the owner.

18 Section 2. This act shall take effect July 1, 2006.

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