

By the Committee on Government Efficiency Appropriations; and  
Senator Fasano

593-1376-06

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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 is by means of an instrument  
4 in which the owner is listed as both grantor and grantee of  
5 the real property and one or more other individuals are  
6 additionally named as grantee. However, if any individual who  
7 is additionally named as a grantee applies for a homestead  
8 exemption on the property, the application shall be considered  
9 a change of ownership;

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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20           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
21           COMMITTEE SUBSTITUTE FOR  
22           SB 264

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23           The committee substitute clarifies the conditions that must be  
24 satisfied to add another person to a title to homestead  
25 property without triggering a change in ownership.

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