

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative(s) Johnson offered the following:

Amendment (with ballot statement and title amendments)

Remove lines 15-22 and insert:

That the following amendments to Sections 4 and 6 of Article VII and the creation of Section 26 of Article XII of the State Constitution are 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

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18 noncommercial recreational purposes may be classified by general
19 law and assessed solely on the basis of character or use.

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

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

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

32 a. Three percent (3%) of the assessment for the prior
33 year.

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

39 (2) No assessment shall exceed just value.

40 (3) After any change of ownership, as provided by general
41 law, homestead property shall be assessed at just value as of
42 January 1 of the following year, unless the provisions of
43 paragraph (8) apply. Thereafter, the homestead shall be assessed
44 as provided herein.

45 (4) New homestead property shall be assessed at just value
46 as of January 1st of the year following the establishment of the
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47 homestead, unless the provisions of paragraph (8) apply. That
48 assessment shall only change as provided herein.

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

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

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

61 (8) When a person 65 years of age or older sells his or
62 her homestead property within this state and within the county
63 of his or her residence and within one year purchases another
64 property and establishes such property as homestead property,
65 the newly established homestead property shall be initially
66 assessed at less than just value, as provided by general law.
67 The difference between the new homestead property's just value
68 and its assessed value in the first year the homestead is
69 established may not exceed the difference between the previous
70 homestead property's just value and its assessed value in the
71 year of sale. In addition, to be assessed as provided in this
72 paragraph, the assessed value of the new homestead property must
73 equal or exceed the assessed value of the previous homestead
74 property. Thereafter, the homestead property shall be assessed
75 as provided herein. Homestead property located within a fiscally

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76 constrained county may be exempt from this paragraph as provided
77 by general law and subject to approval of the electors of the
78 county voting in a referendum to be held no earlier than
79 November 1, 2009.

80 (d) The legislature may, by general law, for assessment
81 purposes and subject to the provisions of this subsection, allow
82 counties and municipalities to authorize by ordinance that
83 historic property may be assessed solely on the basis of
84 character or use. Such character or use assessment shall apply
85 only to the jurisdiction adopting the ordinance. The
86 requirements for eligible properties must be specified by
87 general law.

88 (e) A county may, in the manner prescribed by general law,
89 provide for a reduction in the assessed value of homestead
90 property to the extent of any increase in the assessed value of
91 that property which results from the construction or
92 reconstruction of the property for the purpose of providing
93 living quarters for one or more natural or adoptive grandparents
94 or parents of the owner of the property or of the owner's spouse
95 if at least one of the grandparents or parents for whom the
96 living quarters are provided is 62 years of age or older. Such a
97 reduction may not exceed the lesser of the following:

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

100 (2) Twenty percent of the total assessed value of the
101 property as improved.

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104 == B A L L O T S T A T E M E N T A M E N D M E N T ==
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105 Remove lines 95-98 and insert:

106 ARTICLE VII, SECTIONS 4 AND 6

107 ARTICLE XII, SECTION 26

108 HOMESTEAD PROPERTY ASSESSMENTS AND INCREASED HOMESTEAD

109 EXEMPTION.--Proposing amendments to the State Constitution to

110 provide for assessing at less than just value property purchased

111 within one year after a sale of homestead property by persons 65

112 years of age or older and in the county of their of residence

113 and established as new homestead property, prohibiting the

114 difference between the new homestead property's just value and

115 its assessed value in the first year the homestead is

116 established from exceeding the difference between the previous

117 homestead property's just value and its assessed value in the

118 year of sale, requiring the new homestead property's assessed

119 value to equal or exceed the previous homestead property's

120 assessed value, and authorizing an exemption from such less-

121 than-just-value assessments for homestead property in a fiscally

122 constrained county subject to voter referendum approval no

123 earlier than November 1, 2009, and to increase the maximum

124 additional homestead

125

126

127 ===== T I T L E A M E N D M E N T =====

128 Remove lines 6-8 and insert:

129 A joint resolution proposing amendments to Sections 4 and

130 6 of Article VII and the creation of Section 26 of Article

131 XII of the State Constitution to provide an additional

132 circumstance for assessing homestead property at less than

133 just value, authorize an exemption from such circumstance

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134 | for homestead property in fiscally constrained counties
135 | subject to voter approval, and increase the maximum