

CHAMBER ACTION

1 The Finance & Tax Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 House Joint Resolution

6 A joint resolution proposing an amendment to Section 4 of
7 Article VII of the State Constitution, relating to
8 limitations on assessments of property, to authorize the
9 Legislature, by general law, to authorize counties to
10 provide by ordinance for applying to real property other
11 than homestead property, with specified exceptions, the
12 limitations on assessments applicable only to homestead
13 property with a revised annual assessment change
14 percentage limitation, and to declare nonapplicability to
15 determinations of the value of real property taxed for
16 school purposes.

17
18 Be It Resolved by the Legislature of the State of Florida:

19
20 That the following amendment to Section 4 of Article VII of
21 the State Constitution is agreed to and shall be submitted to
22 the electors of this state for approval or rejection at the next

23 | general election or at an earlier special election specifically
24 | authorized by law for that purpose:

25 | ARTICLE VII

26 | FINANCE AND TAXATION

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

30 | (a) Agricultural land, land producing high water recharge
31 | to Florida's aquifers, or land used exclusively for
32 | noncommercial recreational purposes may be classified by general
33 | law and assessed solely on the basis of character or use.

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

38 | (c) All persons entitled to a homestead exemption under
39 | Section 6 of this Article shall have their homestead assessed at
40 | just value as of January 1 of the year following the effective
41 | date of this amendment. This assessment shall change only as
42 | provided herein.

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

46 | a. Three percent (3%) of the assessment for the prior
47 | year.

48 | b. The percent change in the Consumer Price Index for all
49 | urban consumers, U.S. City Average, all items 1967=100, or
50 | successor reports for the preceding calendar year as initially

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51 | reported by the United States Department of Labor, Bureau of
52 | Labor Statistics.

53 | (2) No assessment shall exceed just value.

54 | (3) After any change of ownership, as provided by general
55 | law, homestead property shall be assessed at just value as of
56 | January 1 of the following year. Thereafter, the homestead shall
57 | be assessed as provided herein.

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

61 | (5) Changes, additions, reductions, or improvements to
62 | homestead property shall be assessed as provided for by general
63 | law; provided, however, after the adjustment for any change,
64 | addition, reduction, or improvement, the property shall be
65 | assessed as provided herein.

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

68 | (7) The provisions of this amendment are severable. If any
69 | of the provisions of this amendment shall be held
70 | unconstitutional by any court of competent jurisdiction, the
71 | decision of such court shall not affect or impair any remaining
72 | provisions of this amendment.

73 | (d) The legislature may, by general law, for assessment
74 | purposes and subject to the provisions of this subsection, allow
75 | counties and municipalities to authorize by ordinance that
76 | historic property may be assessed solely on the basis of
77 | character or use. Such character or use assessment shall apply
78 | only to the jurisdiction adopting the ordinance. The

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79 requirements for eligible properties must be specified by
80 general law.

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

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

93 (2) Twenty percent of the total assessed value of the
94 property as improved.

95 (f) Except for property assessed under subsection (a) or
96 subsection (d), by general law and subject to conditions
97 specified therein, the legislature may authorize counties to
98 provide by ordinance for the application of the provisions of
99 subsection (c) to real property other than homestead property,
100 except the percentage limitation under subparagraph (c)1.a. for
101 such property shall be five percent (5%). This subsection shall
102 not apply to determinations of the value of real property taxed
103 for school purposes.

104 BE IT FURTHER RESOLVED that the following statement be
105 placed on the ballot:

106 CONSTITUTIONAL AMENDMENT

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ARTICLE VII, SECTION 4

107
108 LIMITATIONS ON ASSESSMENTS OF REAL PROPERTY.--Proposing an
109 amendment to the State Constitution to authorize the
110 Legislature, by general law, to authorize counties to provide by
111 ordinance for applying to real property other than homestead
112 property, but not agricultural land, land producing high water
113 recharge to Florida's aquifers, land used exclusively for
114 noncommercial recreational purposes, and historic property
115 assessed on the basis of character or use, the limitations on
116 assessments of property at just value currently applicable only
117 to homestead property but limiting changes in annual assessments
118 to the lower of 5 percent of the prior year's assessment or the
119 percent change in the Consumer Price Index, and to specify that
120 the amendment does not apply to determinations of the value of
121 real property taxed for school purposes.