

FOR CONSIDERATION By the Committee on Government Efficiency  
Appropriations

593-466-06

1                                   A bill to be entitled  
2           An act relating to property taxation; amending  
3           s. 193.155, F.S.; providing conditions under  
4           which changes, additions, or improvements that  
5           replace all or a portion of homestead property  
6           damaged or destroyed by misfortune or calamity  
7           shall not be assessed at just value; providing  
8           for assessment of replaced homestead property;  
9           amending s. 196.031, F.S.; providing conditions  
10          under which homestead property that is damaged  
11          or destroyed by misfortune or calamity and is  
12          uninhabitable on January 1 after the damage or  
13          destruction occurs may be granted the homestead  
14          exemption; providing for retroactive  
15          application; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19           Section 1. Subsection (4) of section 193.155, Florida  
20 Statutes, is amended to read:

21           193.155 Homestead assessments.--Homestead property  
22 shall be assessed at just value as of January 1, 1994.  
23 Property receiving the homestead exemption after January 1,  
24 1994, shall be assessed at just value as of January 1 of the  
25 year in which the property receives the exemption.

26           (4)(a) Except as provided in paragraph (b), changes,  
27 additions, or improvements to homestead property shall be  
28 assessed at just value as of the first January 1 after the  
29 changes, additions, or improvements are substantially  
30 completed.

31

1           (b) Changes, additions, or improvements that replace  
2 all or do not include replacement of a portion of real  
3 property damaged or destroyed by misfortune or calamity shall  
4 not increase the assessed value when the square footage of the  
5 homestead property as changed or improved does not exceed 110  
6 percent of the square footage of the property before the  
7 damage or destruction ~~just value of the damaged or destroyed~~  
8 ~~portion as replaced is not more than 125 percent of the just~~  
9 ~~value of the damaged or destroyed portion.~~ Assessed value  
10 shall be increased by the just value of that portion of the  
11 changed or improved homestead property ~~any replaced real~~  
12 ~~property, or portion thereof,~~ which is in excess of 110 ~~125~~  
13 percent of the square footage of the homestead before the  
14 damage or destruction ~~just value of the damaged or destroyed~~  
15 ~~property shall be deemed to be a change, addition, or~~  
16 ~~improvement.~~ Homestead Replaced real property damaged or  
17 destroyed by misfortunes or calamity which has a square  
18 footage with a just value of less than 100 percent of the  
19 original property's total square footage before the damage or  
20 destruction ~~just value~~ shall be assessed pursuant to  
21 subsection (5). For purposes of determining assessed value  
22 pursuant to this paragraph, the just value of the changed or  
23 improved portion in excess of 110 percent of the square  
24 footage before the damage or destruction shall be determined  
25 based on the average just value of all square footage in the  
26 improved portions of the homestead property determined as of  
27 January 1 of the year following the change or improvement.

28           (c) Changes, additions, or improvements include  
29 improvements made to common areas or other improvements made  
30 to property other than to the homestead property by the owner  
31 or by an owner association, which improvements directly

1 benefit the homestead property. Such changes, additions, or  
2 improvements shall be assessed at just value, and the just  
3 value shall be apportioned among the parcels benefiting from  
4 the improvement.

5 Section 2. Subsection (7) is added to section 196.031,  
6 Florida Statutes, to read:

7 196.031 Exemption of homesteads.--

8 (7) When homestead property is damaged or destroyed by  
9 misfortune or calamity and the property is uninhabitable on  
10 January 1 after the damage or destruction occurs, the  
11 homestead exemption may be granted if the property is  
12 otherwise qualified and if the property owner notifies the  
13 property appraiser that he or she intends to repair or rebuild  
14 the property and live in it as his or her primary residence  
15 after it is repaired or rebuilt and does not claim a homestead  
16 exemption on any other property or otherwise violate this  
17 section while the repairs are being made.

18 Section 3. This act shall take effect upon becoming a  
19 law and shall apply retroactively to January 1, 2006.

20

21 \*\*\*\*\*

22 SENATE SUMMARY

23 Revises the requirements for assessing the value of  
24 homestead property that is changed or improved following  
25 damage or destruction. Provides for the assessed value to  
26 be increased by the just value of that portion of the  
27 improved property which exceeds 110 percent of the former  
square footage of the property. Provides for a property  
owner to claim the homestead exemption for property that  
the owner intends to repair or rebuild and live in as a  
residence.

28

29

30

31