

HJR 1207

2007

House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to provide for classifying and assessing deed-restricted or rent-restricted property and commercial fishing waterfront property solely on the basis of character or use.

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

That the following amendment to Section 4 of Article VII of the State Constitution is 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, deed-restricted or rent-restricted property used exclusively to provide affordable rental housing, waterfront property used exclusively for commercial fishing purposes, or land used exclusively for noncommercial recreational purposes may be classified by general law and assessed solely on the basis of character or use.

(b) Pursuant to general law tangible personal property held for sale as stock in trade and livestock may be valued for

29 | taxation at a specified percentage of its value, may be
 30 | classified for tax purposes, or may be exempted from taxation.

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

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

39 | a. Three percent (3%) of the assessment for the prior
 40 | year.

41 | b. The percent change in the Consumer Price Index for all
 42 | urban consumers, U.S. City Average, all items 1967=100, or
 43 | successor reports for the preceding calendar year as initially
 44 | reported by the United States Department of Labor, Bureau of
 45 | Labor Statistics.

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

47 | (3) After any change of ownership, as provided by general
 48 | law, homestead property shall be assessed at just value as of
 49 | January 1 of the following year. Thereafter, the homestead shall
 50 | be assessed as provided herein.

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

54 | (5) Changes, additions, reductions, or improvements to
 55 | homestead property shall be assessed as provided for by general
 56 | law; provided, however, after the adjustment for any change,

57 addition, reduction, or improvement, the property shall be
 58 assessed as provided herein.

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

61 (7) The provisions of this amendment are severable. If any
 62 of the provisions of this amendment shall be held
 63 unconstitutional by any court of competent jurisdiction, the
 64 decision of such court shall not affect or impair any remaining
 65 provisions of this amendment.

66 (d) The legislature may, by general law, for assessment
 67 purposes and subject to the provisions of this subsection, allow
 68 counties and municipalities to authorize by ordinance that
 69 historic property may be assessed solely on the basis of
 70 character or use. Such character or use assessment shall apply
 71 only to the jurisdiction adopting the ordinance. The
 72 requirements for eligible properties must be specified by
 73 general law.

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

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

86 (2) Twenty percent of the total assessed value of the
 87 property as improved.

88 BE IT FURTHER RESOLVED that the following statement be
 89 placed on the ballot:

90 CONSTITUTIONAL AMENDMENT

91 ARTICLE VII, SECTION 4

92 EXPANDING ELIGIBLE PROPERTIES CLASSIFIED AND ASSESSED
 93 SOLELY ON BASIS OF CHARACTER OR USE.--Proposing an amendment to
 94 the State Constitution to provide for classifying and assessing
 95 deed-restricted or rent-restricted property used exclusively for
 96 affordable rental housing and waterfront property used
 97 exclusively for commercial fishing purposes solely on the basis
 98 of character or use.