

By Senator Ring

32-1464-07

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to authorize reductions in assessed value of homestead property purchased by first-time homebuyers.

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

(c) All persons entitled to a homestead exemption under Section 6 of this Article shall have their homestead

1 | assessed at just value as of January 1 of the year following
2 | the effective date of this amendment. This assessment shall
3 | change only as provided herein.

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

8 | a. Three percent (3%) of the assessment for the prior
9 | year.

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

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

16 | (3) After any change of ownership, as provided by
17 | general law, homestead property shall be assessed at just
18 | value as of January 1 of the following year. Thereafter, the
19 | homestead shall be assessed as provided herein.

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

24 | (5) Changes, additions, reductions, or improvements to
25 | homestead property shall be assessed as provided for by
26 | general law; provided, however, after the adjustment for any
27 | change, addition, reduction, or improvement, the property
28 | shall be assessed as provided herein.

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

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1 (7) The provisions of this amendment are severable. If
2 any of the provisions of this amendment shall be held
3 unconstitutional by any court of competent jurisdiction, the
4 decision of such court shall not affect or impair any
5 remaining provisions of this amendment.

6 (d) The legislature may, by general law, for
7 assessment purposes and subject to the provisions of this
8 subsection, allow counties and municipalities to authorize by
9 ordinance that historic property may be assessed solely on the
10 basis of character or use. Such character or use assessment
11 shall apply only to the jurisdiction adopting the ordinance.
12 The requirements for eligible properties must be specified by
13 general law.

14 (e) A county may, in the manner prescribed by general
15 law, provide for a reduction in the assessed value of
16 homestead property to the extent of any increase in the
17 assessed value of that property which results from the
18 construction or reconstruction of the property for the purpose
19 of providing living quarters for one or more natural or
20 adoptive grandparents or parents of the owner of the property
21 or of the owner's spouse if at least one of the grandparents
22 or parents for whom the living quarters are provided is 62
23 years of age or older. Such a reduction may not exceed the
24 lesser of the following:

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

27 (2) Twenty percent of the total assessed value of the
28 property as improved.

29 ~~(f)~~(1) Notwithstanding subsection (c), a county or
30 municipality in the county may, for assessment purposes and
31 subject to the provisions of this subsection, by ordinance

1 approved by vote of the electors of the county or
2 municipality, provide for a reduction of up to \$100,000 in the
3 assessed value of property purchased and used as homestead
4 property by a first-time homebuyer.

5 (2) Such reduction shall be provided over a period of
6 five years and shall be available only if the first-time
7 homebuyer remains in and maintains the property as homestead
8 property for the entire five-year period.

9 (3) If ownership of the property changes within the
10 five-year period, property taxes on the amount of the
11 reduction and interest on the amount of such taxes shall
12 become due and payable to the respective taxing authority.

13 (4) At the end of the five-year period, the assessment
14 of the property shall be calculated as provided in paragraph
15 (c)(1) on the reduced amount from the date of the initial
16 purchase of the property.

17 (5) For purposes of this section, the term "first-time
18 homebuyer" means a person who purchases a home in the county
19 for use as a permanent primary residence, who has never owned
20 a home in this state prior to such purchase, and who earns no
21 more than 120 percent of the median income of residents of the
22 county.

23 BE IT FURTHER RESOLVED that the following statement be
24 placed on the ballot:

25 CONSTITUTIONAL AMENDMENT

26 ARTICLE VII, SECTION 4

27 HOMESTEAD ASSESSED VALUE REDUCTION.--Proposing an
28 amendment to the State Constitution to authorize any county or
29 municipality in the county to provide by ordinance, subject to
30 elector approval, for a reduction over a 5-year period of up
31 to \$100,000 in the assessed value of property purchased, used,

1 and maintained by a first-time homebuyer as homestead property
2 for 5 years; provide for recapture of taxes on the reduced
3 amount and interest on such taxes if ownership of the property
4 changes within the 5-year period; provide for calculation of
5 the assessed value of the property after the 5-year period at
6 the Save Our Homes rate calculated on the reduced amount from
7 the date of the original purchase of the property; and define
8 a first-time homebuyer as a person who purchases a home in the
9 county for use as a primary permanent residence, who has never
10 owned a home in Florida prior to such purchase, and who earns
11 no more than 120 percent of the median income of residents of
12 the county.

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