

By Senator Baker

20-383-07

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to finance and taxation; limiting the increase in the assessed value of nonhomestead property to 5 percent per year until the property changes hands.

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.

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

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

10           a. Three percent (3%) of the assessment for the prior  
11 year.

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

17           (2) No assessment shall exceed just value.

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

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

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

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

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

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

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

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

29           (2) Twenty percent of the total assessed value of the  
30 property as improved.

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1           (f) The annual increase in the assessed value of  
2 nonhomestead property, including, but not limited to,  
3 commercial property, shall not exceed five percent of the  
4 assessment for the prior year until ownership of the property  
5 changes. No assessment shall exceed just value. After the  
6 change of ownership, the nonhomestead property shall be  
7 assessed at just value as of January 1 of the following year.  
8 Thereafter, the nonhomestead property shall be assessed as  
9 provided in this subsection.

10           BE IT FURTHER RESOLVED that the following statement be  
11 placed on the ballot:

12                               CONSTITUTIONAL AMENDMENT

13                               ARTICLE VII, SECTION 4

14           LIMITATION ON ANNUAL INCREASES IN ASSESSED VALUE OF  
15 NONHOMESTEAD PROPERTY.--Proposing an amendment to the State  
16 Constitution to limit the annual increase in the assessed  
17 value of nonhomestead property to 5 percent of the assessment  
18 for the prior year until the property changes hands.