

House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to apply to all real property the limitations on assessments applied to homestead property and revise assessment requirements and the creation of Section 27 of Article XII of the State Constitution to specify an effective date.

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 and creation of Section 27 of Article XII of the State Constitution are 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

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

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

35 (1) Assessments subject to this provision shall be changed
36 annually on January 1st of each year, only if determined to be
37 necessary by the property appraiser based upon market data as
38 provided by general law; but those changes in assessments shall
39 not exceed the lower of the following:

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

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

47 (2) No assessment shall exceed just value.

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

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

56 (5) Changes, additions, reductions, or improvements to
 57 real ~~homestead~~ property shall be assessed as provided for by
 58 general law; provided, however, after the adjustment for any
 59 change, addition, reduction, or improvement, the property shall
 60 be assessed as provided herein.

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

63 (6)~~(7)~~ The provisions of this amendment are severable. If
 64 any of the provisions of this amendment shall be held
 65 unconstitutional by any court of competent jurisdiction, the
 66 decision of such court shall not affect or impair any remaining
 67 provisions of this amendment.

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

76 (e) A county may, in the manner prescribed by general law,
 77 provide for a reduction in the assessed value of homestead
 78 property to the extent of any increase in the assessed value of
 79 that property which results from the construction or
 80 reconstruction of the property for the purpose of providing
 81 living quarters for one or more natural or adoptive grandparents
 82 or parents of the owner of the property or of the owner's spouse
 83 if at least one of the grandparents or parents for whom the

84 living quarters are provided is 62 years of age or older. Such a
 85 reduction may not exceed the lesser of the following:

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

88 (2) Twenty percent of the total assessed value of the
 89 property as improved.

90 ARTICLE XII

91 SCHEDULE

92 SECTION 27. Assessments of real property.--The amendment
 93 to Section 4 of Article VII applying to all real property the
 94 limitations on assessments previously applied only to homestead
 95 property and requiring changes in assessments only if determined
 96 to be necessary by the property appraiser based upon market data
 97 shall take effect January 1 of the year following the election
 98 in which the amendment is approved.

99 BE IT FURTHER RESOLVED that the following statement be
 100 placed on the ballot:

101 CONSTITUTIONAL AMENDMENT

102 ARTICLE VII, SECTION 4

103 ARTICLE XII, SECTION 27

104 LIMITATIONS ON ASSESSMENTS OF REAL PROPERTY.--Proposing
 105 amendment of the State Constitution to apply to all real
 106 property the limitations on assessments currently applied only
 107 to homestead property and to require changes in assessments only
 108 if determined to be necessary by the property appraiser based
 109 upon market data, to take effect January 1 of the year following
 110 approval of the amendment by the electors.