

By Senator Baker

24-356-07

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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 limitations on assessments of real property, to apply such limitations to all real property rather than to homestead property only.

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 who own real property other than
2 homestead property shall have the real property assessed at
3 just value as of January 1 of the year following the effective
4 date of this amendment establishing a maximum annual raise in
5 the assessments of nonhomestead property. All persons entitled
6 to a homestead exemption under Section 6 of this Article shall
7 have their homestead assessed at just value as of January 1 of
8 the year following the effective date of this amendment. This
9 assessment shall change only as provided herein.

10 (1) Assessments subject to this provision shall be
11 changed annually on January 1st of each year if the property
12 appraiser determines, on the basis of market data, that a
13 change is necessary; but those changes in assessments shall
14 not exceed the lower of the following:

15 a. Three percent (3%) of the assessment for the prior
16 year.

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

22 (2) No assessment shall exceed just value.

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

27 (4) New homestead property shall be assessed at just
28 value as of January 1st of the year following the
29 establishment of the homestead. When there is a change of
30 ownership of real property, the property shall be assessed at
31 just value as of January 1st of the year following the change

1 of ownership. That assessment shall only change as provided
2 herein.

3 (5) Changes, additions, reductions, or improvements to
4 real ~~homestead~~ property shall be assessed as provided for by
5 general law; provided, however, after the adjustment for any
6 change, addition, reduction, or improvement, the property
7 shall be assessed as provided herein.

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

10 (7) The provisions of this amendment are severable.
11 If any of the provisions of this amendment shall be held
12 unconstitutional by any court of competent jurisdiction, the
13 decision of such court shall not affect or impair any
14 remaining provisions of this amendment.

15 (d) The legislature may, by general law, for
16 assessment purposes and subject to the provisions of this
17 subsection, allow counties and municipalities to authorize by
18 ordinance that historic property may be assessed solely on the
19 basis of character or use. Such character or use assessment
20 shall apply only to the jurisdiction adopting the ordinance.
21 The requirements for eligible properties must be specified by
22 general law.

23 (e) A county may, in the manner prescribed by general
24 law, provide for a reduction in the assessed value of
25 homestead property to the extent of any increase in the
26 assessed value of that property which results from the
27 construction or reconstruction of the property for the purpose
28 of providing living quarters for one or more natural or
29 adoptive grandparents or parents of the owner of the property
30 or of the owner's spouse if at least one of the grandparents
31 or parents for whom the living quarters are provided is 62

1 | years of age or older. Such a reduction may not exceed the
2 | lesser of the following:

3 | (1) The increase in assessed value resulting from
4 | construction or reconstruction of the property.

5 | (2) Twenty percent of the total assessed value of the
6 | property as improved.

7 | BE IT FURTHER RESOLVED that the following statement be
8 | placed on the ballot:

9 | CONSTITUTIONAL AMENDMENT

10 | ARTICLE VII, SECTION 4

11 | LIMITATIONS ON ASSESSMENTS OF REAL PROPERTY.--Proposing
12 | an amendment to the State Constitution to provide that the
13 | limitations on assessments which currently apply to homestead
14 | property shall apply to all real property.

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