

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

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.