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House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to provide an additional circumstance for assessing homestead property at less than just value.

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 assessed at

29 just value as of January 1 of the year following the effective
 30 date of this amendment. This assessment shall change only as
 31 provided herein.

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

35 a. Three percent (3%) of the assessment for the prior
 36 year.

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

42 (2) No assessment shall exceed just value.

43 (3) After any change of ownership, as provided by general
 44 law, homestead property shall be assessed at just value as of
 45 January 1 of the following year, unless the provisions of
 46 paragraph (8) apply. Thereafter, the homestead shall be assessed
 47 as provided herein.

48 (4) New homestead property shall be assessed at just value
 49 as of January 1st of the year following the establishment of the
 50 homestead, unless the provisions of paragraph (8) apply. That
 51 assessment shall only change as provided herein.

52 (5) Changes, additions, reductions, or improvements to
 53 homestead property shall be assessed as provided for by general
 54 law; provided, however, after the adjustment for any change,
 55 addition, reduction, or improvement, the property shall be
 56 assessed as provided herein.

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

59 (7) The provisions of this amendment are severable. If any
 60 of the provisions of this amendment shall be held
 61 unconstitutional by any court of competent jurisdiction, the
 62 decision of such court shall not affect or impair any remaining
 63 provisions of this amendment.

64 (8) When a person sells his or her homestead property
 65 within this state and within one year purchases another property
 66 and establishes such property as homestead property, the newly
 67 established homestead property shall be initially assessed at
 68 less than just value, as provided by general law. The difference
 69 between the new homestead property's just value and its assessed
 70 value in the first year the homestead is established may not
 71 exceed the difference between the previous homestead's just value
 72 and its assessed value in the year of sale. In addition, to be
 73 assessed as provided in this paragraph, the assessed value of the
 74 new homestead must equal or exceed the assessed value of the
 75 previous homestead. Thereafter, the homestead shall be assessed
 76 as provided herein.

77 (d) The legislature may, by general law, for assessment
 78 purposes and subject to the provisions of this subsection, allow
 79 counties and municipalities to authorize by ordinance that
 80 historic property may be assessed solely on the basis of
 81 character or use. Such character or use assessment shall apply
 82 only to the jurisdiction adopting the ordinance. The
 83 requirements for eligible properties must be specified by
 84 general law.

85 (e) A county may, in the manner prescribed by general law,
 86 provide for a reduction in the assessed value of homestead
 87 property to the extent of any increase in the assessed value of
 88 that property which results from the construction or
 89 reconstruction of the property for the purpose of providing
 90 living quarters for one or more natural or adoptive grandparents
 91 or parents of the owner of the property or of the owner's spouse
 92 if at least one of the grandparents or parents for whom the
 93 living quarters are provided is 62 years of age or older. Such a
 94 reduction may not exceed the lesser of the following:

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

97 (2) Twenty percent of the total assessed value of the
 98 property as improved.

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

101 CONSTITUTIONAL AMENDMENT

102 ARTICLE VII, SECTION 4

103 HOMESTEAD PROPERTY ASSESSMENTS.--Proposing an amendment to
 104 the State Constitution to provide for assessing at less than
 105 just value property purchased within one year after a sale of
 106 homestead property and established as new homestead property,
 107 limited by the difference between the new homestead property's
 108 just value and its assessed value in the first year the
 109 homestead is established not exceeding the difference between
 110 the previous homestead's just value and its assessed value in
 111 the year of sale and the new homestead property's assessed value

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112 | equaling or exceeding the old homestead property's assessed
113 | value.