

Amendment No.

CHAMBER ACTION

Senate

House

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Representative(s) Domino offered the following:

Substitute Amendment for Amendment (087435) (with title amendment)

Remove everything after the resolving clause, and insert:

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:

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16 (a) Agricultural land, land producing high water recharge
17 to Florida's aquifers, or land used exclusively for
18 noncommercial recreational purposes may be classified by general
19 law and assessed solely on the basis of character or use.

20 (b) Pursuant to general law tangible personal property
21 held for sale as stock in trade and livestock may be valued for
22 taxation at a specified percentage of its value, may be
23 classified for tax purposes, or may be exempted from taxation.

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

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

32 a. Three percent (3%) of the assessment for the prior
33 year.

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

39 (2) No assessment shall exceed just value.

40 (3) After any change of ownership, as provided by general
41 law, homestead property shall be assessed at just value as of
42 January 1 of the following year, unless the provisions of

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43 paragraph (8) apply. Thereafter, the homestead shall be assessed
44 as provided herein.

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

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

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

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

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

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

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

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

94 (2) Twenty percent of the total assessed value of the
95 property as improved.

96 BE IT FURTHER RESOLVED that the following statement be
97 placed on the ballot:

98 CONSTITUTIONAL AMENDMENT

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ARTICLE VII, SECTION 4

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

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===== T I T L E A M E N D M E N T =====

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Remove the entire title, and insert:

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House Joint Resolution

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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.

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