

Bill No. SJR 4-B

Barcode 695508

CHAMBER ACTION

Senate

House

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Senator Saunders moved the following amendment:

Senate Amendment (with title amendment)

On page 6, line 17, through
page 12, line 14, delete those lines

and insert:

(g) Marinas, boatyards, boat ramps, commercial fishing facilities, and similar facilities classified as recreational and commercial working waterfronts pursuant to general law and open to the public on a first-come, first-served basis shall be classified by general law and assessed solely on the basis of an income approach to value and using a capitalization rate of no less than ten percent.

SECTION 6. Homestead exemptions.--

(a) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation ~~thereon~~, except assessments for special benefits, on seventy-five percent of up to the just assessed valuation of such property up to two

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1 hundred of five thousand dollars and on fifteen percent of the
2 just valuation of such property above two hundred thousand
3 dollars up to five hundred thousand dollars, upon
4 establishment of right thereto in the manner prescribed by
5 law. The five hundred thousand dollar threshold shall be
6 adjusted each year by the percentage change in per capita
7 personal income, as defined by general law, for the previous
8 year, and may be increased by general law enacted by an
9 affirmative vote of at least two-thirds of the membership of
10 each house of the legislature. The exemption shall not be less
11 than fifty thousand dollars but, for low-income seniors who
12 meet the eligibility criteria under subsection (d), the
13 exemption shall not be less than one hundred thousand dollars.
14 The real estate may be held by legal or equitable title, by
15 the entires, jointly, in common, as a condominium, or
16 indirectly by stock ownership or membership representing the
17 owner's or member's proprietary interest in a corporation
18 owning a fee or a leasehold initially in excess of
19 ninety-eight years. The exemption shall not apply with respect
20 to any assessment roll until such roll is first determined to
21 be in compliance with the provisions of section 4 by a state
22 agency designated by general law. This exemption is repealed
23 on the effective date of any amendment to this Article which
24 provides for the assessment of homestead property at less than
25 just value.

26 (b) Not more than one exemption shall be allowed any
27 individual or family unit or with respect to any residential
28 unit. No exemption shall exceed the value of the real estate
29 assessable to the owner or, in case of ownership through stock
30 or membership in a corporation, the value of the proportion
31 which the interest in the corporation bears to the assessed

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1 value of the property.

2 ~~(c) By general law and subject to conditions specified~~
3 ~~therein, the exemption shall be increased to a total of~~
4 ~~twenty-five thousand dollars of the assessed value of the real~~
5 ~~estate for each school district levy. By general law and~~
6 ~~subject to conditions specified therein, the exemption for all~~
7 ~~other levies may be increased up to an amount not exceeding~~
8 ~~ten thousand dollars of the assessed value of the real estate~~
9 ~~if the owner has attained age sixty-five or is totally and~~
10 ~~permanently disabled and if the owner is not entitled to the~~
11 ~~exemption provided in subsection (d).~~

12 ~~(d) By general law and subject to conditions specified~~
13 ~~therein, the exemption shall be increased to a total of the~~
14 ~~following amounts of assessed value of real estate for each~~
15 ~~levy other than those of school districts: fifteen thousand~~
16 ~~dollars with respect to 1980 assessments; twenty thousand~~
17 ~~dollars with respect to 1981 assessments; twenty-five thousand~~
18 ~~dollars with respect to assessments for 1982 and each year~~
19 ~~thereafter. However, such increase shall not apply with~~
20 ~~respect to any assessment roll until such roll is first~~
21 ~~determined to be in compliance with the provisions of section~~
22 ~~4 by a state agency designated by general law. This subsection~~
23 ~~shall stand repealed on the effective date of any amendment to~~
24 ~~section 4 which provides for the assessment of homestead~~
25 ~~property at a specified percentage of its just value.~~

26 ~~(c)(e)~~ By general law and subject to conditions
27 specified therein, the Legislature may provide to renters, who
28 are permanent residents, ad valorem tax relief on all ad
29 valorem tax levies. Such ad valorem tax relief shall be in the
30 form and amount established by general law.

31 ~~(d)(f)~~ The legislature may, by general law, allow

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1 counties or municipalities, for the purpose of their
 2 respective tax levies and subject to the provisions of general
 3 law, to grant an additional homestead tax exemption not
 4 exceeding fifty thousand dollars to any person who has the
 5 legal or equitable title to real estate and maintains thereon
 6 the permanent residence of the owner and who has attained age
 7 sixty-five and whose household income, as defined by general
 8 law, does not exceed twenty thousand dollars. The general law
 9 must allow counties and municipalities to grant this
 10 additional exemption, within the limits prescribed in this
 11 subsection, by ordinance adopted in the manner prescribed by
 12 general law, and must provide for the periodic adjustment of
 13 the income limitation prescribed in this subsection for
 14 changes in the cost of living.

15 ~~(e)(g)~~ Each veteran who is age 65 or older who is
 16 partially or totally permanently disabled shall receive a
 17 discount from the amount of the ad valorem tax otherwise owed
 18 on homestead property the veteran owns and resides in if the
 19 disability was combat related, the veteran was a resident of
 20 this state at the time of entering the military service of the
 21 United States, and the veteran was honorably discharged upon
 22 separation from military service. The discount shall be in a
 23 percentage equal to the percentage of the veteran's permanent,
 24 service-connected disability as determined by the United
 25 States Department of Veterans Affairs. To qualify for the
 26 discount granted by this subsection, an applicant must submit
 27 to the county property appraiser, by March 1, proof of
 28 residency at the time of entering military service, an
 29 official letter from the United States Department of Veterans
 30 Affairs stating the percentage of the veteran's
 31 service-connected disability and such evidence that reasonably

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1 identifies the disability as combat related, and a copy of the
 2 veteran's honorable discharge. If the property appraiser
 3 denies the request for a discount, the appraiser must notify
 4 the applicant in writing of the reasons for the denial, and
 5 the veteran may reapply. The Legislature may, by general law,
 6 waive the annual application requirement in subsequent years.
 7 This subsection shall take effect December 7, 2006, is
 8 self-executing, and does not require implementing legislation.

9 SECTION 9. Local taxes.--

10 (a) Counties, school districts, and municipalities
 11 shall, and special districts may, be authorized by law to levy
 12 ad valorem taxes and may be authorized by general law to levy
 13 other taxes, for their respective purposes, except ad valorem
 14 taxes on intangible personal property and taxes prohibited by
 15 this constitution.

16 (b) Ad valorem taxes, exclusive of taxes levied for
 17 the payment of bonds and taxes levied for periods not longer
 18 than two years when authorized by vote of the electors who are
 19 the owners of freeholds therein not wholly exempt from
 20 taxation, shall not be levied in excess of the following
 21 millages upon the assessed value of real estate and tangible
 22 personal property: for all county purposes, ten mills; for all
 23 municipal purposes, ten mills; for all school purposes, ten
 24 mills; for water management purposes for the northwest portion
 25 of the state lying west of the line between ranges two and
 26 three east, 0.05 mill; for water management purposes for the
 27 remaining portions of the state, 1.0 mill; and for all other
 28 special districts a millage authorized by law approved by vote
 29 of the electors who are owners of freeholds therein not wholly
 30 exempt from taxation. A county furnishing municipal services
 31 may, to the extent authorized by law, levy additional taxes

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1 within the limits fixed for municipal purposes.

2 (c) By general law, the legislature shall limit the
3 authority of counties, municipalities, and special districts
4 to increase ad valorem taxes.

5 ARTICLE XII

6 SCHEDULE

7 SECTION 27. Transitional assessments of homestead
8 property; effective date.--

9 (a) Each person entitled to a homestead exemption
10 under Section 6 of Article VII on January 1, 2008, shall
11 continue to have the person's current homestead assessed under
12 Section 4(c) of Article VII so long as, on January 1 of each
13 year, the sum of the exemption the person would have received
14 under Section 6(a)-(d) of Article VII, as it existed on
15 December 31, 2007, plus the difference between the homestead's
16 just value and its assessed value determined pursuant to
17 Section 4(c) of Article VII is greater than the exemption
18 provided by Section 6(a) of Article VII. After the exemption
19 provided in Section 6(a) of Article VII exceeds such sum in
20 any year, the homestead may not be assessed under Section 4(c)
21 of Article VII.

22 (b) The exemption provided in Section 6(a) of Article
23 VII to each person entitled to have the person's homestead
24 assessed under Section 4(c) of Article VII pursuant to
25 subsection (a) shall be limited to the exemption the person
26 would have been entitled to under Section 6(a)-(d) of Article
27 VII as it existed on December 31, 2007.

28 (c) The amendments to Sections 3, 4, 6, and 9 of
29 Article VII, providing an exemption from ad valorem taxation
30 for tangible personal property, revising provisions limiting
31 an increase in the assessed value of homestead property,

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1 providing for assessing rent-restricted affordable housing and
2 recreational and commercial working waterfront property
3 pursuant to general law, increasing the homestead exemption by
4 providing a schedule for determining the exemption based on a
5 percentage of the property's just value, and requiring the
6 legislature to limit the authority of counties,
7 municipalities, and special districts to increase ad valorem
8 taxes, and this section, providing for transitional
9 assessments of homestead property, shall take effect upon
10 approval by the electors and shall operate retroactively to
11 January 1, 2008.

12

13 == B A L L O T S T A T E M E N T A M E N D M E N T ==

14 On page 13, lines 13-15, delete those lines

15

16 and insert:

17 housing property and recreational and commercial
18 working waterfront property at less than just value; and to
19 schedule the amendments

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

24 And the title is amended as follows:

25 On page 1, line 11, delete that line

26

27 and insert:

28 housing and recreational and commercial working

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