

Bill No. SJR 4-B

Barcode 720730

CHAMBER ACTION

Senate

House

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Senators Deutch, Geller, and Ring moved the following amendment:

Senate Amendment (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:

(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

1 use.

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

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

11 (1) Assessments subject to this provision shall be
12 changed annually on January 1st of each year; but those
13 changes in assessments shall not exceed the lower of the
14 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, homestead property shall be assessed at just
25 value as of January 1 of the following year, unless the
26 provisions of paragraph (8) apply. Thereafter, the homestead
27 shall be assessed as provided herein.

28 (4) New homestead property shall be assessed at just
29 value as of January 1st of the year following the
30 establishment of the homestead, unless the provisions of
31 paragraph (8) apply. That assessment shall only change as

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1 provided herein.

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

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

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

14 (8) When a person sells his or her homestead property
15 within this state and within one year purchases another
16 property and establishes such property as homestead property,
17 the newly established homestead property shall be initially
18 assessed at less than just value, as provided by general law.
19 The difference between the new homestead property's just value
20 and its assessed value in the first year the homestead is
21 established may not exceed the difference between the previous
22 homestead's just value and its assessed value in the year of
23 sale. In addition, to be assessed as provided in this
24 paragraph, the assessed value of the new homestead must equal
25 or exceed the assessed value of the previous homestead.
26 Thereafter, the homestead shall be assessed as provided
27 herein.

28 (d) The legislature may, by general law, for
29 assessment purposes and subject to the provisions of this
30 subsection, allow counties and municipalities to authorize by
31 ordinance that historic property may be assessed solely on the

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1 basis of character or use. Such character or use assessment
 2 shall apply only to the jurisdiction adopting the ordinance.
 3 The requirements for eligible properties must be specified by
 4 general law.

5 (e) A county may, in the manner prescribed by general
 6 law, provide for a reduction in the assessed value of
 7 homestead property to the extent of any increase in the
 8 assessed value of that property which results from the
 9 construction or reconstruction of the property for the purpose
 10 of providing living quarters for one or more natural or
 11 adoptive grandparents or parents of the owner of the property
 12 or of the owner's spouse if at least one of the grandparents
 13 or parents for whom the living quarters are provided is 62
 14 years of age or older. Such a reduction may not exceed the
 15 lesser of the following:

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

18 (2) Twenty percent of the total assessed value of the
 19 property as improved.

20 BE IT FURTHER RESOLVED that the following statement be
 21 placed on the ballot:

22 CONSTITUTIONAL AMENDMENT
 23 ARTICLE VII, SECTION 4

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

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1 value in the year of sale and the new homestead property's
 2 assessed value equaling or exceeding the old homestead
 3 property's assessed value.

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

8 And the title is amended as follows:Remove the entire title,
 9 and insert:

10 House Joint Resolution
 11 A joint resolution proposing an amendment to
 12 Section 4 of Article VII of the State
 13 Constitution to provide an additional
 14 circumstance for assessing homestead property
 15 at less than just value.

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