

1 A bill to be entitled
 2 An act relating to just valuation of real property;
 3 amending ss. 192.011, 193.011, 193.015, and 193.017, F.S.;
 4 deleting requirements for property appraisers to consider
 5 the highest and best use of property in determining just
 6 valuation; providing applicability; providing an effective
 7 date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Section 192.011, Florida Statutes, is amended
 12 to read:

13 192.011 All property to be assessed.--The property
 14 appraiser shall assess all property located within the county,
 15 except inventory, whether such property is taxable, wholly or
 16 partially exempt, or subject to classification reflecting a
 17 value less than its just value at its present ~~highest and best~~
 18 use. Extension on the tax rolls shall be made according to
 19 regulation promulgated by the department in order properly to
 20 reflect the general law. Streets, roads, and highways which have
 21 been dedicated to or otherwise acquired by a municipality, a
 22 county, or a state agency may be assessed, but need not be.

23 Section 2. Subsection (2) of section 193.011, Florida
 24 Statutes, is amended to read:

25 193.011 Factors to consider in deriving just
 26 valuation.--In arriving at just valuation as required under s.
 27 4, Art. VII of the State Constitution, the property appraiser
 28 shall take into consideration the following factors:

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29 (2) The ~~highest and best use to which the property can be~~
30 ~~expected to be put in the immediate future and the present use~~
31 of the property, taking into consideration any applicable
32 judicial limitation, local or state land use regulation, or
33 historic preservation ordinance, and considering any moratorium
34 imposed by executive order, law, ordinance, regulation,
35 resolution, or proclamation adopted by any governmental body or
36 agency or the Governor when the moratorium or judicial
37 limitation prohibits or restricts the development or improvement
38 of property as otherwise authorized by applicable law. The
39 applicable governmental body or agency or the Governor shall
40 notify the property appraiser in writing of any executive order,
41 ordinance, regulation, resolution, or proclamation it adopts
42 imposing any such limitation, regulation, or moratorium;

43 Section 3. Subsection (1) of section 193.015, Florida
44 Statutes, is amended to read:

45 193.015 Additional specific factor; effect of issuance or
46 denial of permit to dredge, fill, or construct in state waters
47 to their landward extent.--

48 (1) If the Department of Environmental Protection issues
49 or denies a permit to dredge, fill, or otherwise construct in or
50 on waters of the state, as defined in chapter 403, to their
51 landward extent ~~as determined under s. 403.817(2)~~, the property
52 appraiser is expressly directed to consider the effect of that
53 issuance or denial on the value of the property and any
54 limitation that the issuance or denial may impose on the present
55 ~~highest and best~~ use of the property to its landward extent.

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56 Section 4. Subsection (4) of section 193.017, Florida
57 Statutes, is amended to read:

58 193.017 Low-income housing tax credit.--Property used for
59 affordable housing which has received a low-income housing tax
60 credit from the Florida Housing Finance Corporation, as
61 authorized by s. 420.5099, shall be assessed under s. 193.011
62 and, consistent with s. 420.5099(5) and (6), pursuant to this
63 section.

64 (4) If an extended low-income housing agreement is filed
65 in the official public records of the county in which the
66 property is located, the agreement, and any recorded amendment
67 or supplement thereto, shall be considered a land-use regulation
68 and a limitation on the ~~highest and best~~ use of the property
69 during the term of the agreement, amendment, or supplement.

70 Section 5. This act shall take effect upon becoming a law
71 and shall apply to assessments for tax years beginning January
72 1, 2009.