

By Senator Margolis

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1 A bill to be entitled

2 An act relating to the assessment of homestead property;
3 amending s. 193.155, F.S.; prohibiting an increase in the
4 assessed value of homestead property solely as the result
5 of installing and operating a renewable energy source
6 device or improving the property's resistance to wind
7 damage; providing an effective date.

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

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11 Section 1. Subsection (5) of section 193.155, Florida
12 Statutes, as amended by section 13 of chapter 2007-321, Laws of
13 Florida, is amended to read:

14 193.155 Homestead assessments.--

15 (5) (a) Except as provided in paragraphs ~~paragraph~~ (b) and
16 (e), changes, additions, or improvements to homestead property
17 shall be assessed at just value as of the first January 1 after
18 the changes, additions, or improvements are substantially
19 completed.

20 (b) Changes, additions, or improvements that replace all or
21 a portion of homestead property damaged or destroyed by
22 misfortune or calamity shall not increase the homestead
23 property's assessed value when the square footage of the
24 homestead property as changed or improved does not exceed 110
25 percent of the square footage of the homestead property before
26 the damage or destruction. Additionally, the homestead property's
27 assessed value shall not increase if the total square footage of
28 the homestead property as changed or improved does not exceed
29 1,500 square feet. Changes, additions, or improvements that do

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30 not cause the total to exceed 110 percent of the total square
31 footage of the homestead property before the damage or
32 destruction or that do not cause the total to exceed 1,500 total
33 square feet shall be reassessed as provided under subsection (1).
34 The homestead property's assessed value shall be increased by the
35 just value of that portion of the changed or improved homestead
36 property which is in excess of 110 percent of the square footage
37 of the homestead property before the damage or destruction or of
38 that portion exceeding 1,500 square feet. Homestead property
39 damaged or destroyed by misfortune or calamity which, after being
40 changed or improved, has a square footage of less than 100
41 percent of the homestead property's total square footage before
42 the damage or destruction shall be assessed pursuant to
43 subsection (6). This paragraph applies to changes, additions, or
44 improvements commenced within 3 years after the January 1
45 following the damage or destruction of the homestead.

46 (c) Changes, additions, or improvements that replace all or
47 a portion of real property that was damaged or destroyed by
48 misfortune or calamity shall be assessed upon substantial
49 completion as if such damage or destruction had not occurred and
50 in accordance with paragraph (b) if the owner of such property:

51 1. Was permanently residing on such property when the
52 damage or destruction occurred;

53 2. Was not entitled to receive homestead exemption on such
54 property as of January 1 of that year; and

55 3. Applies for and receives homestead exemption on such
56 property the following year.

57 (d) Changes, additions, or improvements include
58 improvements made to common areas or other improvements made to

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59 | property other than to the homestead property by the owner or by
60 | an owner association, which improvements directly benefit the
61 | homestead property. Such changes, additions, or improvements
62 | shall be assessed at just value, and the just value shall be
63 | apportioned among the parcels benefiting from the improvement.

64 | (e) The assessed value of homestead property may not be
65 | increased solely as a result of:

66 | 1. The installation and operation of a renewable energy
67 | source device.

68 | 2. Changes, additions, or improvements made for the purpose
69 | of improving the property's resistance to wind damage. Such
70 | improvements include:

71 | a. Improving the strength of the roof deck attachment.

72 | b. Creating a secondary water barrier to prevent water
73 | intrusion.

74 | c. Installing hurricane-resistant shingles.

75 | d. Installing gable-end bracing.

76 | e. Reinforcing roof-to-wall connections.

77 | f. Installing storm shutters.

78 | g. Installing impact-resistant glazing.

79 | h. Installing hurricane-resistant doors.

80 | Section 2. This act shall take effect January 1, 2009.