

By Senator Aronberg

27-00781A-09

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to expand the availability of the property tax discount for disabled veterans to veterans who were not Florida residents when they entered the military.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 6 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 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, up to the assessed valuation of twenty-five thousand dollars and, for all levies other than school district levies, on the assessed valuation greater than fifty thousand dollars and up to seventy-five thousand dollars, upon establishment of right thereto in the manner prescribed by law. The real estate may be held by legal or equitable title, by the entirety, jointly, in common, as a condominium, or indirectly by stock ownership or membership representing the owner's or

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30 member's proprietary interest in a corporation owning a fee or a  
31 leasehold initially in excess of ninety-eight years. The  
32 exemption shall not apply with respect to any assessment roll  
33 until such roll is first determined to be in compliance with the  
34 provisions of section 4 by a state agency designated by general  
35 law. This exemption is repealed on the effective date of any  
36 amendment to this Article which provides for the assessment of  
37 homestead property at less than just value.

38 (b) Not more than one exemption shall be allowed any  
39 individual or family unit or with respect to any residential  
40 unit. No exemption shall exceed the value of the real estate  
41 assessable to the owner or, in case of ownership through stock  
42 or membership in a corporation, the value of the proportion  
43 which the interest in the corporation bears to the assessed  
44 value of the property.

45 (c) By general law and subject to conditions specified  
46 therein, the Legislature may provide to renters, who are  
47 permanent residents, ad valorem tax relief on all ad valorem tax  
48 levies. Such ad valorem tax relief shall be in the form and  
49 amount established by general law.

50 (d) The legislature may, by general law, allow counties or  
51 municipalities, for the purpose of their respective tax levies  
52 and subject to the provisions of general law, to grant an  
53 additional homestead tax exemption not exceeding fifty thousand  
54 dollars to any person who has the legal or equitable title to  
55 real estate and maintains thereon the permanent residence of the  
56 owner and who has attained age sixty-five and whose household  
57 income, as defined by general law, does not exceed twenty  
58 thousand dollars. The general law must allow counties and

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59 municipalities to grant this additional exemption, within the  
60 limits prescribed in this subsection, by ordinance adopted in  
61 the manner prescribed by general law, and must provide for the  
62 periodic adjustment of the income limitation prescribed in this  
63 subsection for changes in the cost of living.

64 (e) Each veteran who is age 65 or older who is partially or  
65 totally permanently disabled shall receive a discount from the  
66 amount of the ad valorem tax otherwise owed on homestead  
67 property the veteran owns and resides in if the disability was  
68 combat related, ~~the veteran was a resident of this state at the~~  
69 ~~time of entering the military service of the United States,~~ and  
70 the veteran was honorably discharged upon separation from  
71 military service. The discount shall be in a percentage equal to  
72 the percentage of the veteran's permanent, service-connected  
73 disability as determined by the United States Department of  
74 Veterans Affairs. To qualify for the discount granted by this  
75 subsection, an applicant must submit to the county property  
76 appraiser, by March 1, ~~proof of residency at the time of~~  
77 ~~entering military service,~~ an official letter from the United  
78 States Department of Veterans Affairs stating the percentage of  
79 the veteran's service-connected disability and such evidence  
80 that reasonably identifies the disability as combat related, and  
81 a copy of the veteran's honorable discharge. If the property  
82 appraiser denies the request for a discount, the appraiser must  
83 notify the applicant in writing of the reasons for the denial,  
84 and the veteran may reapply. The Legislature may, by general  
85 law, waive the annual application requirement in subsequent  
86 years. This subsection ~~shall take effect December 7, 2006,~~ is  
87 self-executing, and does not require implementing legislation.

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88 BE IT FURTHER RESOLVED that the following statement be  
89 placed on the ballot:

90 CONSTITUTIONAL AMENDMENT

91 ARTICLE VII, SECTION 6

92 DISABLED VETERAN'S PROPERTY TAX DISCOUNT.—The State  
93 Constitution provides a property tax discount on the homesteads  
94 of veterans who became disabled as the result of a combat  
95 injury. This proposed amendment expands the availability of the  
96 discount to veterans who became disabled as the result of a  
97 combat injury, but who were not Florida residents when they  
98 entered the military.