

By Senator Fasano

11-00644D-09

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1 Senate Joint Resolution

2 A joint resolution proposing an amendment to Section 6  
3 of Article VII of the State Constitution to authorize  
4 the Legislature to provide an ad valorem tax exemption  
5 for the homesteads of members of the United States  
6 military who are receiving hostile-fire pay or  
7 imminent-danger pay.  
8

9 Be It Resolved by the Legislature of the State of Florida:  
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11 That the following amendment to Section 6 of Article VII of  
12 the State Constitution is agreed to and shall be submitted to  
13 the electors of this state for approval or rejection at the next  
14 general election or at an earlier special election specifically  
15 authorized by law for that purpose:

16 ARTICLE VII

17 FINANCE AND TAXATION

18 SECTION 6. Homestead exemptions.-

19 (a) Every person who has the legal or equitable title to  
20 real estate and maintains thereon the permanent residence of the  
21 owner, or another legally or naturally dependent upon the owner,  
22 shall be exempt from taxation thereon, except assessments for  
23 special benefits, up to the assessed valuation of twenty-five  
24 thousand dollars and, for all levies other than school district  
25 levies, on the assessed valuation greater than fifty thousand  
26 dollars and up to seventy-five thousand dollars, upon  
27 establishment of right thereto in the manner prescribed by law.  
28 The real estate may be held by legal or equitable title, by the  
29 entireties, jointly, in common, as a condominium, or indirectly

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 This exemption is repealed on the effective date of any  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

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

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

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

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

65 (e) Each veteran who is age 65 or older who is partially or  
66 totally permanently disabled shall receive a discount from the  
67 amount of the ad valorem tax otherwise owed on homestead  
68 property the veteran owns and resides in if the disability was  
69 combat related, the veteran was a resident of this state at the  
70 time of entering the military service of the United States, and  
71 the veteran was honorably discharged upon separation from  
72 military service. The discount shall be in a percentage equal to  
73 the percentage of the veteran's permanent, service-connected  
74 disability as determined by the United States Department of  
75 Veterans Affairs. To qualify for the discount granted by this  
76 subsection, an applicant must submit to the county property  
77 appraiser, by March 1, proof of residency at the time of  
78 entering military service, an official letter from the United  
79 States Department of Veterans Affairs stating the percentage of  
80 the veteran's service-connected disability and such evidence  
81 that reasonably identifies the disability as combat related, and  
82 a copy of the veteran's honorable discharge. If the property  
83 appraiser denies the request for a discount, the appraiser must  
84 notify the applicant in writing of the reasons for the denial,  
85 and the veteran may reapply. The Legislature may, by general  
86 law, waive the annual application requirement in subsequent  
87 years. This subsection shall take effect December 7, 2006, is

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88 self-executing, and does not require implementing legislation.

89 (f) The legislature, by general law and subject to  
90 conditions and limitations specified therein, shall exempt the  
91 homesteads of members of the United States military who are  
92 receiving hostile-fire pay or imminent-danger pay.

93 BE IT FURTHER RESOLVED that the following statement be  
94 placed on the ballot:

95 CONSTITUTIONAL AMENDMENT

96 ARTICLE VII, SECTION 6

97 PROPERTY TAX EXEMPTION FOR SOLDIERS.—This proposed  
98 amendment to the State Constitution permits the Legislature to  
99 exempt from property taxes the homesteads of members of the  
100 United States military who are receiving hostile-fire pay or  
101 imminent-danger pay.