

By the Committee on Military Affairs, Space, and Domestic Security; and Senator Norman

583-02475-12

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## Senate Joint Resolution

A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to allow the Legislature by general law to provide ad valorem homestead property tax relief to the surviving spouse of a military veteran who died from service-connected causes while on active duty or a surviving spouse of a first responder who died in the line of duty, provide definitions with respect thereto, and provide an effective date.

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

That the following amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution are 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

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30 levies, on the assessed valuation greater than fifty thousand  
31 dollars and up to seventy-five thousand dollars, upon  
32 establishment of right thereto in the manner prescribed by law.  
33 The real estate may be held by legal or equitable title, by the  
34 entireties, jointly, in common, as a condominium, or indirectly  
35 by stock ownership or membership representing the owner's or  
36 member's proprietary interest in a corporation owning a fee or a  
37 leasehold initially in excess of ninety-eight years. The  
38 exemption shall not apply with respect to any assessment roll  
39 until such roll is first determined to be in compliance with the  
40 provisions of section 4 by a state agency designated by general  
41 law. This exemption is repealed on the effective date of any  
42 amendment to this Article which provides for the assessment of  
43 homestead property at less than just value.

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

51 (c) By general law and subject to conditions specified  
52 therein, the Legislature may provide to renters, who are  
53 permanent residents, ad valorem tax relief on all ad valorem tax  
54 levies. Such ad valorem tax relief shall be in the form and  
55 amount established by general law.

56 (d) The legislature may, by general law, allow counties or  
57 municipalities, for the purpose of their respective tax levies  
58 and subject to the provisions of general law, to grant an

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59 additional homestead tax exemption not exceeding fifty thousand  
60 dollars to any person who has the legal or equitable title to  
61 real estate and maintains thereon the permanent residence of the  
62 owner and who has attained age sixty-five and whose household  
63 income, as defined by general law, does not exceed twenty  
64 thousand dollars. The general law must allow counties and  
65 municipalities to grant this additional exemption, within the  
66 limits prescribed in this subsection, by ordinance adopted in  
67 the manner prescribed by general law, and must provide for the  
68 periodic adjustment of the income limitation prescribed in this  
69 subsection for changes in the cost of living.

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

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88 appraiser denies the request for a discount, the appraiser must  
89 notify the applicant in writing of the reasons for the denial,  
90 and the veteran may reapply. The Legislature may, by general  
91 law, waive the annual application requirement in subsequent  
92 years. This subsection shall take effect December 7, 2006, is  
93 self-executing, and does not require implementing legislation.

94 (f) (1) By general law and subject to conditions and  
95 limitations specified therein, the Legislature may provide ad  
96 valorem tax relief equal to the total amount or a portion of the  
97 ad valorem tax otherwise owed on homestead property to the  
98 surviving spouse of:

99 a. A veteran who died from service-connected causes while  
100 on active duty as a member of the United States Armed Forces.

101 b. A first responder who died in the line of duty.

102 (2) As used in this subsection and as further defined by  
103 general law, the term:

104 a. "First responder" means a law enforcement officer, a  
105 correctional officer, a firefighter, an emergency medical  
106 technician, or a paramedic.

107 b. "In the line of duty" means arising out of and in the  
108 actual performance of duty required by employment as a first  
109 responder.

110 ARTICLE XII

111 SCHEDULE

112 SECTION 32. Ad valorem tax relief for surviving spouses of  
113 veterans who died from service-connected causes and first  
114 responders who died in the line of duty.--This section and the  
115 amendment to Section 6 of Article VII permitting the legislature  
116 to provide ad valorem tax relief to surviving spouses of

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117 veterans who died from service-connected causes and first  
118 responders who died in the line of duty shall take effect  
119 January 1, 2013.

120 BE IT FURTHER RESOLVED that the following statement be  
121 placed on the ballot:

122 CONSTITUTIONAL AMENDMENT

123 ARTICLE VII, SECTION 6

124 ARTICLE XII, SECTION 32

125 HOMESTEAD PROPERTY TAX EXEMPTION FOR SURVIVING SPOUSE OF  
126 MILITARY VETERAN OR FIRST RESPONDER.—Proposing an amendment to  
127 the State Constitution to authorize the Legislature to provide  
128 by general law ad valorem homestead property tax relief to the  
129 surviving spouse of a military veteran who died from service-  
130 connected causes while on active duty or to the surviving spouse  
131 of a first responder who died in the line of duty. The amendment  
132 authorizes the Legislature to totally exempt or partially exempt  
133 such surviving spouse's homestead property from ad valorem  
134 taxation. The amendment defines a first responder as a law  
135 enforcement officer, a correctional officer, a firefighter, an  
136 emergency medical technician, or a paramedic. This amendment  
137 takes effect January 1, 2013.