

HB 1291

2012

1 A bill to be entitled
2 An act relating to an additional homestead exemption;
3 amending s. 196.031, F.S.; providing an additional
4 homestead exemption to be calculated in a specified
5 manner for all levies other than school district
6 levies; providing for retroactive application under
7 certain circumstances; providing contingent effective
8 dates.

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

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12 Section 1. Subsection (1) of section 196.031, Florida
13 Statutes, is amended to read:

14 196.031 Exemption of homesteads.—

15 (1)(a) Every person who, on January 1, has the legal title
16 or beneficial title in equity to real property in this state and
17 who resides thereon and in good faith makes the same his or her
18 permanent residence, or the permanent residence of another or
19 others legally or naturally dependent upon such person, is
20 entitled to an exemption from all taxation, except for
21 assessments for special benefits, up to the assessed valuation
22 of \$25,000 on the residence and contiguous real property, as
23 defined in s. 6, Art. VII of the State Constitution. Such title
24 may be held by the entires, jointly, or in common with
25 others, and the exemption may be apportioned among such of the
26 owners as shall reside thereon, as their respective interests
27 shall appear. If only one of the owners of an estate held by the
28 entires or held jointly with the right of survivorship

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29 resides on the property, that owner is allowed an exemption of
30 up to the assessed valuation of \$25,000 on the residence and
31 contiguous real property. However, no such exemption of more
32 than \$25,000 is allowed to any one person or on any one dwelling
33 house, except that an exemption up to the assessed valuation of
34 \$25,000 may be allowed on each apartment or mobile home occupied
35 by a tenant-stockholder or member of a cooperative corporation
36 and on each condominium parcel occupied by its owner. Except for
37 owners of an estate held by the entirety or held jointly with
38 the right of survivorship, the amount of the exemption may not
39 exceed the proportionate assessed valuation of all owners who
40 reside on the property. Before such exemption may be granted,
41 the deed or instrument shall be recorded in the official records
42 of the county in which the property is located. The property
43 appraiser may request the applicant to provide additional
44 ownership documents to establish title.

45 (b) Every person who qualifies to receive the exemption
46 provided in paragraph (a) is entitled to:

47 1. An additional exemption of up to \$25,000 on the
48 assessed valuation greater than \$50,000 for all levies other
49 than school district levies.

50 2. An additional exemption for all levies other than
51 school district levies in an amount equal to 30 percent of the
52 homestead property's just value in excess of \$75,000 but less
53 than or equal to \$200,000, plus 15 percent of the homestead
54 property's just value in excess of \$200,000 but less than or
55 equal to \$400,000. The value of the additional homestead
56 exemption shall be reduced by the difference between the just

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57 value of the property and the assessed value of the property
58 determined under s. 196.075.

59 Section 2. This act shall take effect January 1, 2013, if
60 House Joint Resolution 1289, or a similar joint resolution
61 having substantially the same specific intent and purpose, is
62 approved at the general election to be held in November 2012, or
63 if approved at an earlier special election specifically
64 authorized by law for that purpose, shall take effect upon
65 approval of the electors and operate retroactively to January 1,
66 2012.