

By Senators Grimsley and Passidomo

26-00708B-18

2018772__

1 A bill to be entitled
2 An act relating to homestead exemption implementation;
3 amending s. 3 of chapter 2017-35, Laws of Florida;
4 requiring the Legislature to appropriate moneys,
5 beginning in a specified fiscal year, to offset
6 reductions in ad valorem tax revenue experienced by
7 rural communities within a rural area of opportunity
8 which result from a specified additional exemption;
9 requiring the moneys appropriated for this purpose to
10 be distributed each fiscal year among rural
11 communities based on each region's proportion of the
12 total reduction in ad valorem tax revenue; requiring
13 each rural community to apply to the Department of
14 Revenue each year to participate in the distribution
15 of the appropriation and provide documentation
16 supporting the region's estimated reduction in ad
17 valorem tax revenue; providing requirements for such
18 documentation; providing for calculation of each rural
19 community's reduction in ad valorem tax revenue;
20 requiring the rural community's share to revert to the
21 fund from which the appropriation was made if it fails
22 to apply for the distribution; conforming provisions
23 to changes made by the act; providing a contingent
24 effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Section 3 of chapter 2017-35, Laws of Florida,
29 is amended to read:

26-00708B-18

2018772__

30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58

Section 3. Section 218.125, Florida Statutes, is amended to read:

218.125 Offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties and rural communities within a rural area of opportunity.-

(1) (a) Beginning in the 2010-2011 fiscal year, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), which occur as a direct result of the implementation of revisions of ss. 3(f) and 4(b) of Art. VII of the State Constitution which were approved in the general election held in November 2008. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revisions.

(b) Beginning in the 2019-2020 fiscal year, the Legislature shall appropriate moneys to offset reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), and by rural communities within a rural area of opportunity, as those terms are defined in s. 288.0656(2), which is designated by the Governor under s. 288.0656(7) (a), which occur as a direct result of implementation of the revision to s. 6(a) of Art. VII of the State Constitution approved in November 2018 which authorizes an additional exemption of up to \$25,000 for all levies other than school district levies. The moneys appropriated for this purpose shall be distributed in January of

26-00708B-18

2018772__

59 each fiscal year among the fiscally constrained counties and the
60 rural communities within a rural area of opportunity based on
61 each region's ~~county's~~ proportion of the total reduction in ad
62 valorem tax revenue resulting from the implementation of the
63 revisions.

64 (2) On or before November 15 of each year, each fiscally
65 constrained county and each rural community within a rural area
66 of opportunity shall apply to the Department of Revenue to
67 participate in the distribution of the appropriation and provide
68 documentation supporting the region's ~~county's~~ estimated
69 reduction in ad valorem tax revenue in the form and manner
70 prescribed by the department. The documentation must include an
71 estimate of the reduction in taxable value directly attributable
72 to revisions of Art. VII of the State Constitution for all
73 ~~county~~ taxing jurisdictions within the region ~~county~~ and shall
74 be prepared by the property appraiser in each fiscally
75 constrained county and each rural community within a rural area
76 of opportunity. The documentation must also include the ~~county~~
77 millage rates applicable in all such jurisdictions for the
78 current year and the prior year, rolled-back rates determined as
79 provided in s. 200.065 for each ~~county~~ taxing jurisdiction, and
80 maximum millage rates that could have been levied by majority
81 vote pursuant to s. 200.065(5).

82 (a) For purposes of paragraph (1) (a), each fiscally
83 constrained county's reduction in ad valorem tax revenue shall
84 be calculated as 95 percent of the estimated reduction in
85 taxable value multiplied by the lesser of the 2010 applicable
86 millage rate or the applicable millage rate for each county
87 taxing jurisdiction in the current year. If a fiscally

26-00708B-18

2018772__

88 constrained county fails to apply for the distribution, its
89 share shall revert to the fund from which the appropriation was
90 made.

91 (b) For purposes of paragraph (1)(b), the reduction in ad
92 valorem tax revenue for each fiscally constrained county and
93 each rural community within a rural area of opportunity ~~county's~~
94 ~~reduction in ad valorem tax revenue~~ shall be calculated as 95
95 percent of the estimated reduction in taxable value multiplied
96 by the lesser of the 2017 applicable millage rate or the
97 applicable millage rate for each ~~county~~ taxing jurisdiction in
98 the current year. If a fiscally constrained county or rural
99 community within a rural area of opportunity fails to apply for
100 the distribution, its share shall revert to the fund from which
101 the appropriation was made.

102 Section 2. This act shall take effect on the effective date
103 of the amendment to the State Constitution proposed by HJR 7105
104 (2017), if such amendment to the State Constitution is approved
105 at the general election held in November 2018, and shall apply
106 to the 2019 tax roll.