

1                   A bill to be entitled  
 2           An act relating to assessment of homestead property;  
 3           amending s. 193.155, F.S.; providing definitions;  
 4           requiring that changes, additions, or improvements  
 5           that replace or are made to homestead property through  
 6           elevation be assessed in a specified manner;  
 7           specifying how such assessment must be calculated  
 8           under certain conditions; providing applicability;  
 9           authorizing property appraisers to require certain  
 10          evidence; providing a contingent effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           **Section 1. Paragraphs (a) and (b) of subsection (4) of**  
 15 **section 193.155, Florida Statutes, are amended, and paragraph**  
 16 **(e) is added to that subsection, to read:**

17           193.155 Homestead assessments.—Homestead property shall be  
 18 assessed at just value as of January 1, 1994. Property receiving  
 19 the homestead exemption after January 1, 1994, shall be assessed  
 20 at just value as of January 1 of the year in which the property  
 21 receives the exemption unless the provisions of subsection (8)  
 22 apply.

23           (4) (a) Except as provided in paragraph (b) or paragraph  
 24 (e) and s. 193.624, changes, additions, or improvements to  
 25 homestead property must ~~shall~~ be assessed at just value as of

26 | the first January 1 after the changes, additions, or  
27 | improvements are substantially completed.

28 |       (b)1. Changes, additions, or improvements that replace all  
29 | or a portion of homestead property, including ancillary  
30 | improvements, damaged or destroyed by misfortune or calamity  
31 | shall be assessed upon substantial completion as provided in  
32 | this paragraph. Such assessment must be calculated using the  
33 | homestead property's assessed value as of the January 1  
34 | immediately before the date on which the damage or destruction  
35 | was sustained, subject to the assessment limitations in  
36 | subsections (1) and (2), when:

37 |       a. The square footage of the homestead property as changed  
38 | or improved does not exceed 110 percent of the square footage of  
39 | the homestead property before the damage or destruction; or

40 |       b. The total square footage of the homestead property as  
41 | changed or improved does not exceed 2,000 ~~1,500~~ square feet.

42 |       2. The homestead property's assessed value must be  
43 | increased by the just value of that portion of the changed or  
44 | improved homestead property which is in excess of 110 percent of  
45 | the square footage of the homestead property before the damage  
46 | or destruction or of that portion exceeding 2,000 ~~1,500~~ square  
47 | feet.

48 |       3. Homestead property damaged or destroyed by misfortune  
49 | or calamity which, after being changed or improved, has a square  
50 | footage of less than 100 percent of the homestead property's

51 total square footage before the damage or destruction must ~~shall~~  
 52 be assessed pursuant to subsection (5).

53 4. Changes, additions, or improvements assessed pursuant  
 54 to this paragraph must be reassessed pursuant to subsection (1)  
 55 in subsequent years. This paragraph applies to changes,  
 56 additions, or improvements commenced within 5 years after the  
 57 January 1 following the damage or destruction of the homestead.

58 (e)1. As used in this paragraph, the term:

59 a. "Elevation," "elevated," or "elevate" means:

60 (I) Raising an existing homestead property to at least the  
 61 minimum height required to comply with the elevation  
 62 requirements of the National Flood Insurance Program or the  
 63 Florida Building Code; or

64 (II) Raising an existing homestead property to mitigate  
 65 flood damage sustained during a previous flood event, provided  
 66 that the elevation does not exceed the height required to comply  
 67 with elevation requirements of the National Flood Insurance  
 68 Program or the Florida Building Code at the property nearest to  
 69 the homestead property.

70 b. "Elevation certificate" means the certificate used to  
 71 demonstrate the elevation of property, which has been developed  
 72 by the Federal Emergency Management Agency pursuant to federal  
 73 floodplain management regulations.

74 c. "Previous flood event" means, for homestead property  
 75 situated within a county in which a state of emergency is

76 declared pursuant to s. 252.36, partial or complete inundation  
77 of the homestead property caused by the overflow of inland or  
78 tidal waters; the unusual and rapid accumulation of runoff or  
79 surface waters from any established water source, such as a  
80 river, stream, or drainage ditch; or sustained periods of  
81 standing water resulting from rainfall.

82 2. Changes, additions, or improvements that replace or are  
83 made to homestead property to elevate such property must be  
84 assessed upon substantial completion as provided in this  
85 paragraph. Except as provided in subparagraph 3., such an  
86 assessment must be calculated using the property's assessed  
87 value as of the January 1 immediately preceding the commencement  
88 of elevation, subject to the assessment limitations in  
89 subsections (1) and (2), when:

90 a. The square footage of the homestead property as  
91 elevated does not exceed 110 percent of the square footage of  
92 the homestead property before the elevation; or

93 b. The total square footage of the homestead property as  
94 elevated does not exceed 2,000 square feet.

95 3. Homestead property that was unable to be used for its  
96 intended purpose on the January 1 immediately preceding  
97 commencement of elevation due to damage or destruction caused by  
98 misfortune or calamity must have such assessment calculated  
99 using the homestead property's assessed value as of the January  
100 1 immediately preceding such damage or destruction, subject to

101 the assessment limitations in subsections (1) and (2). Such  
102 property's elevation must be commenced within 5 years after the  
103 January 1 following the damage or destruction of the homestead.

104 4. The homestead property's assessed value must be  
105 increased by the just value of that portion of the elevated  
106 homestead property which is in excess of 110 percent of the  
107 square footage of the homestead property before the elevation or  
108 of that portion exceeding 2,000 square feet. However, the area  
109 underneath an elevated structure which is dedicated only for  
110 parking, storage, or access may not be included in the 110  
111 percent calculation. The area underneath an elevated structure  
112 that exceeds 110 percent of the lowest level square footage  
113 before the elevation must be included in the 110 percent  
114 calculation.

115 5. An elevated homestead property that has a square  
116 footage of less than 100 percent of the homestead property's  
117 total square footage before the elevation must be assessed  
118 pursuant to subsection (5).

119 6. Property appraisers may require the property owner to  
120 provide evidence substantiating eligibility for assessment  
121 pursuant to this paragraph, including elevation certificates  
122 documenting compliance with the National Flood Insurance  
123 Program, or, if elevating in accordance with sub-sub-  
124 subparagraph 1.a.(II), documentation evidencing damage from a  
125 prior flood event, including local government building permits

126 obtained during reconstruction.

127 7. To be eligible for the assessment limitation under this  
128 paragraph, homestead property must comply with all applicable  
129 Federal Emergency Management Agency's National Flood Insurance  
130 Program building requirements and Florida Building Code  
131 elevation requirements. Homestead property elevation pursuant to  
132 sub-sub-subparagraph 1.a.(II) must comply with building and  
133 elevation requirements at the property nearest to the homestead  
134 property.

135 8. This paragraph does not apply to homestead property  
136 that was elevated if there is a change in the classification of  
137 the property pursuant to s. 195.073(1) on the January 1  
138 immediately after the substantial completion.

139 9. This paragraph applies to homestead property for which  
140 the owner commenced elevation on or after January 1, 2027.

141 **Section 2.** This act shall take effect on the effective  
142 date of the amendment to the State Constitution proposed by HJR  
143 1039 or a similar joint resolution having substantially the same  
144 specific intent and purpose, if such amendment is approved at  
145 the next general election or at an earlier special election  
146 specifically authorized by law for that purpose.