

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Busatta offered the following:

Amendment

Remove lines 54-168 and insert:

5 ownership, or as of January 1 of the year following abandonment
6 of homestead on a property that becomes eligible for assessment
7 under this section, but no sooner than the January 1 following
8 the certification to the property appraiser required by s.
9 193.155(8)(i)2. Thereafter, the annual changes in the assessed
10 value of the property are subject to the limitations in
11 subsections (2) and (3). For purposes of this subsection, the
12 term "change of ownership" means any sale, foreclosure, or
13 transfer of legal title or beneficial title in equity to any
14 person, except if any of the provisions of s. 193.155(3)(a)
15 apply.

16 (5)(a) Except as provided in paragraph (b) and s. 193.624,

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17 changes, additions, or improvements to property subject to this
18 section shall be assessed at just value as of the first January
19 1 after the changes, additions, or improvements are
20 substantially completed.

21 (b)1. Changes, additions, or improvements that replace all
22 or a portion of property assessed under this section, including
23 ancillary improvements, that are damaged or destroyed by
24 misfortune or calamity shall be assessed upon substantial
25 completion as provided in this paragraph. Such assessment must
26 be calculated using the property's assessed value as of the
27 January 1 immediately before the date on which the damage or
28 destruction was sustained, subject to the assessment limitations
29 in subsections (2) and (3), when:

30 a. The square footage of the property as changed or
31 improved does not exceed 110 percent of the square footage of
32 the property before the damage or destruction; or

33 b. The total square footage of the property as changed or
34 improved does not exceed 1,500 square feet.

35 2. The property's assessed value must be increased by the
36 just value of that portion of the changed or improved property
37 which is in excess of 110 percent of the square footage of the
38 property before the damage or destruction or of that portion
39 exceeding 1,500 square feet.

40 3. Property damaged or destroyed by misfortune or calamity
41 which, after being changed or improved, has a square footage of

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42 less than 100 percent of the property's total square footage
43 before the damage or destruction shall be assessed pursuant to
44 subsection (6).

45 4. Changes, additions, or improvements assessed pursuant
46 to this paragraph must be reassessed pursuant to subsection (2)
47 in subsequent years. This paragraph applies to changes,
48 additions, or improvements commenced within 5 years after the
49 January 1 following the damage or destruction of the property.

50 (c) Changes, additions, or improvements include
51 improvements made to common areas or other improvements made to
52 property other than to the property by the owner or by an owner
53 association, which improvements directly benefit the property.
54 Such changes, additions, or improvements shall be assessed at
55 just value, and the just value shall be apportioned among the
56 parcels benefiting from the improvement.

57 (6) When property is destroyed or removed and not
58 replaced, the assessed value of the parcel shall be reduced by
59 the assessed value attributable to the destroyed or removed
60 property.

61 (7) Only property that meets the conditions of subsection
62 (1) is subject to this section. Any portion of property that is
63 assessed solely on the basis of character or use pursuant to s.
64 193.461 or s. 193.501, or assessed pursuant to s. 193.505, is
65 not subject to this section.

66 (8) (a) If, after meeting the conditions of subsection (1)

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67 and receiving the benefit of the assessment limitation in
68 subsections (2) and (3), the property does not meet the
69 conditions of subsection (1) on January 1 of any subsequent
70 year, the property shall instead be assessed pursuant to s.
71 193.155(1) and (2), or s. 193.1554(3) and (4), as applicable,
72 beginning with such year.

73 1. Any change in assessment in the first year the property
74 is assessed pursuant to 193.1554 shall use the most recent
75 year's assessed value under this section as the basis for
76 adjustment, and may not revert to just value, unless such
77 property experiences a change of ownership or control as
78 provided in s. 193.1554.

79 2. Any change in assessment in the first year the property
80 is assessed pursuant to s. 193.155 shall use the just value of
81 the property, as adjusted pursuant to s. 193.155(8), if
82 applicable.

83 (b)1. If the property meets the conditions of subsection
84 (1) on January 1 of a subsequent year, this section shall apply
85 beginning with such year, and the application of the limitation
86 in subsection (2) shall use the most recent year's assessed
87 value as the basis for adjustment, if the property was assessed
88 in the most recent year pursuant to s. 193.1554.

89 2. If the property meets the conditions of subsection (1)
90 on January 1 of a subsequent year and the property was assessed
91 as the homestead of the owner in the prior year pursuant to s.

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92 193.155, then the application of the limitation in subsection
93 (2) shall use just value of the property, rather than the prior
94 year's assessment, for the first year's assessment limitation in
95 subsection (2). A property that was abandoned as a homestead is
96 only eligible for treatment under this section if the property
97 appraiser in the county where the abandoned homestead property
98 is located provides the certification to the property appraiser
99 in the county of the new homestead as required by s.

100 193.155(8)(i)2., stating that the property has been or will be
101 reassessed at just value.

102 **Section 2. Paragraph (b) of subsection (1) of section**
103 **196.011, Florida Statutes, is amended, and subsection (14) is**
104 **added to that section, to read:**

105 196.011 Annual application required for exemption.—

106 (1)

107 (b) The form to apply for an exemption under s. 196.031,
108 s. 196.034, s. 196.081, s. 196.091, s. 196.101, s. 196.102, s.
109 196.173, or s. 196.202 must include a space for the applicant to
110 list the social security number of the applicant and of the
111 applicant's spouse, if any. If an applicant files a timely and
112 otherwise complete application, and omits the required social
113 security numbers, the application is incomplete. In that event,
114 the property appraiser shall contact the applicant, who may
115 refile a complete application by April 1. Failure to file a
116 complete application by that date constitutes a waiver of the

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117 exemption privilege for that year, except as provided in
118 subsection (7) or subsection (9).

119 (14) Notwithstanding paragraph (7)(a), an applicant who is
120 eligible to receive an exemption under s. 196.034 must file an
121 application each year by March 1. Such application must include
122 the address of the property at which the owner currently
123 receives a homestead exemption, and an executed copy of the
124 lease for the property to be exempted under s. 196.034.

125 **Section 3. Section 196.034, Florida Statutes, is created**
126 **to read:**

127 196.034 Exemption of certain residential property subject
128 to a long-term lease.—

129 (1)(a) Property that meets the following conditions is
130 entitled to an exemption from all taxation up to the assessed
131 valuation of \$25,000:

132 1. The owner of the property holds the legal or equitable
133 title to a separate parcel that receives the exemption under s.
134 196.031 and such parcel is his or her permanent residence.

135 2. As of January 1 of the taxable year, the property is
136 rented by the owner to one or more persons for residential use
137 under a bona fide written lease that has a duration of 6 months
138 or more.

139 3. The property would otherwise qualify for a homestead
140 exemption pursuant to s. 196.031 if the property were the
141 owner's primary residence.

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