

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [HJR 205](#)

**TITLE:** Elimination of Non-School Property Tax for Homesteads for Persons Age 65 or Older

**SPONSOR(S):** Porras

**COMPANION BILL:** None

**LINKED BILLS:** None

**RELATED BILLS:** None

## Committee References

[Select Committee on Property](#)

[Taxes](#)

24 Y, 9 N



[State Affairs](#)

18 Y, 7 N



[Ways & Means](#)

## SUMMARY

### Effect of the Bill:

The joint resolution proposes an amendment to Article VII, Section 6 of the Florida Constitution to create an exemption for the entire assessed value of homestead properties owned by persons 65 or older for all ad valorem taxes **other** than school taxes.

The joint resolution also proposes a new Section 7 of Article VIII of the Florida Constitution to prohibit local governments from reducing funding for law enforcement services below a specified base year.

Subject to approval by 60 percent of voters during the 2026 general election, the amendment proposed in the joint resolution will take effect on January 1, 2027. The joint resolution is not subject to the Governor's veto powers.

### Fiscal or Economic Impact:

The Revenue Estimating Conference (REC) estimated the bill to have a zero or negative indeterminate impact on local government revenues because the proposed constitutional amendment requires voter approval. If the proposed amendment is approved by the voters, and assuming current millage rates, the REC estimated that beginning in Fiscal Year 2027-28, the amendment will have a negative cash impact of \$5.1 billion, and a negative recurring impact of \$6.7 billion on local non-school property tax revenues.

### Extraordinary Vote Required for Passage:

The joint resolution requires a three-fifths vote of the membership of both houses of the Legislature for final passage.

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## ANALYSIS

### **EFFECT OF THE BILL:**

The joint resolution proposes an amendment to Article VII, Section 6 of the Florida Constitution to create a new full [homestead exemption](#) for the entire assessed value of [homestead properties](#) owned by persons 65 or older, instead of the existing [local option homestead exemptions for seniors](#). The exemption would apply to all [ad valorem taxes](#) **other** than school taxes. The effect of this would be to create a full homestead exemption for homestead properties owned by seniors, for property taxes levied by counties, cities, and special districts. The amendment would not affect property taxes levied by school districts.

The joint resolution also proposes a new Section 7 of Article VIII of the Florida Constitution to prohibit local governments from reducing [funding for law enforcement services](#) below the funding provided for law enforcement services in either Fiscal Year (FY) 2025-26 or FY 2026-27, whichever is higher.

**STORAGE NAME:** h0205c.SAC

**DATE:** 12/2/2025

Subject to approval by 60 percent of voters during the 2026 general election, the amendment proposed in the joint resolution will take effect on January 1, 2027. The joint resolution is not subject to the Governor's veto powers.

## FISCAL OR ECONOMIC IMPACT:

### LOCAL GOVERNMENT:

The Revenue Estimating Conference (REC) estimated the bill to have a zero or negative indeterminate impact on local government revenues because the proposed constitutional amendment requires voter approval. If the proposed amendment is approved by the voters, and assuming current millage rates, the REC estimated that beginning in FY 2027-28, the amendment will have a negative cash impact of \$5.1 billion, and a negative recurring impact of \$6.7 billion on local non-school property tax revenues.<sup>1</sup>

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Homestead Exemptions](#)

Every person having legal and equitable title to real estate and who maintains a permanent residence on the real estate (homestead property) is eligible for an exemption on the first \$25,000 of assessed value of the property that is applicable to all ad valorem tax levies, including levies by school districts.<sup>2</sup> An additional \$25,000 exemption applies to the assessed value of homestead property between \$50,000 and \$75,000.<sup>3</sup> This exemption is adjusted annually for inflation<sup>4</sup> and does not apply to ad valorem taxes levied by school districts.<sup>5</sup>

#### [Homestead Property](#)

Homestead property is real estate (real property) for which a person, on January 1, has the legal or beneficial title and who in good faith makes the property his or her permanent residence (or the permanent residence of another legally or naturally dependent on him or her).<sup>6</sup> The property may be owned jointly, as tenancy by the entireties, or otherwise in common with others, and can be apportioned among such shared owners.<sup>7</sup> Only one homestead exemption is allowed to any one person or on any one dwelling house.<sup>8</sup> Individual condominium owners, however, can each qualify for a separate homestead designation.<sup>9</sup>

#### [Homestead Benefits for Seniors](#)

The Florida Constitution authorizes the Legislature to allow counties and municipalities, by general law, to grant an additional homestead exemption to persons aged 65 or older with a household income that does not exceed \$20,000 (low-income seniors).<sup>10</sup> The income limitation is adjusted each year to reflect changes in the consumer price index.<sup>11</sup> For 2025, the income threshold for this exemption is \$37,694.<sup>12</sup>

<sup>1</sup> The impact to local government revenues adopted by the REC for HJR 205 is available on the Office of Economic and Demographic Research's [website](#), and includes the impact by county (each county's impact is the total impact to the county government, all municipal governments, and all special districts within that county).

<sup>2</sup> FLA. CONST. art. VII, s. 6(a) and [s. 196.031, F.S.](#)

<sup>3</sup> FLA. CONST. art. VII, s. 6(a)(1)b. and [s. 196.031\(1\)\(b\), F.S.](#)

<sup>4</sup> FLA. CONST. art. VII, s. 6(a)(3) and [s. 196.031\(1\)\(b\), F.S.](#) In 2025, the adjusted value of this exemption is \$25,722. See [https://floridarevenue.com/property/Documents/2025\\_cpi\\_homestead\\_exemption.pdf](https://floridarevenue.com/property/Documents/2025_cpi_homestead_exemption.pdf) (last visited 11/2/2025).

<sup>5</sup> FLA. CONST. art. VII, s. 6(a)(1)b. and [s. 196.031\(1\)\(b\), F.S.](#)

<sup>6</sup> FLA. CONST. art. VII, s. 6(a) and [s. 196.031\(1\)\(a\), F.S.](#)

<sup>7</sup> [S. 196.031\(1\)\(a\), F.S.](#)

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> FLA. CONST. art. VII, s. 6(d).

<sup>11</sup> [S. 196.075\(3\), F.S.](#)

An owner must hold legal or equitable title to the property and maintain it as his or her permanent residence to qualify for the exemption.<sup>13</sup> If title to the property is held jointly with a right of survivorship, the exemption may be claimed if one of the owners is residing on the property and would otherwise qualify.<sup>14</sup>

Under this section of the Constitution, a county or municipality may grant either (or both) of the following exemptions:

- An additional \$50,000 of homestead exemption for all low-income seniors;<sup>15</sup> or
- The entire assessed value of the homestead property, if the just value is less than \$250,000 in the year the low-income senior owner applies for the exemption, and the owner has maintained a permanent residence on the property for at least 25 years.<sup>16</sup>

The exemption authorized under this section only applies to ad valorem taxes levied by the county or municipality granting the exemption.<sup>17</sup> This includes taxes levied by dependent special districts or municipal service taxing units of the government granting the exemption.

### [Ad Valorem Taxes](#)

The ad valorem tax or “property tax” is an annual tax levied by counties, municipalities, school districts, and some special districts. The Florida Constitution reserves to local governments the authority to levy ad valorem taxes on real and tangible personal property.<sup>18</sup> Ad valorem taxes are levied annually by local governments based on the value of real and tangible personal property as of January 1 of each year.<sup>19</sup>

The Florida Constitution requires that all property be assessed at just value for ad valorem tax purposes,<sup>20</sup> and provides for specified assessment limitations, property classifications, and exemptions.<sup>21</sup> After the property appraiser considers any assessment limitation or use classification affecting the just value of a parcel of real property, an assessed value is produced. The assessed value is then reduced by any exemptions to produce the taxable value.<sup>22</sup>

Unless expressly exempted from taxation, all real and personal property and leasehold interests in the state are subject to taxation.<sup>23</sup> The Florida Constitution limits the Legislature’s authority to grant an exemption or assessment limitation from taxes,<sup>24</sup> and any modifications to existing ad valorem tax exemptions or limitations must be consistent with the constitutional provision authorizing the exemption or limitation.<sup>25</sup>

<sup>12</sup> Fla. Dept. of Revenue, [Two Additional Homestead Exemptions for Persons 65 and Older](#) (Revised January 2025), (last visited 9/16/25).

<sup>13</sup> FLA. CONST. art. VII, s. 6(d)

<sup>14</sup> [S. 196.075\(8\), F.S.](#)

<sup>15</sup> FLA. CONST. art. VII, s. 6(d)(1)

<sup>16</sup> FLA. CONST. art. VII, s. 6(d)(2)

<sup>17</sup> [S. 196.075\(4\)\(b\), F.S.](#)

<sup>18</sup> FLA. CONST. art. VII, ss. 1(a), 9(a).

<sup>19</sup> Section [192.001\(12\), F.S.](#), defines “real property” as land, buildings, fixtures, and all other improvements to land. The terms “land,” “real estate,” “realty,” and “real property” may be used interchangeably. [Section 192.001\(11\)\(d\), F.S.](#), defines “tangible personal property” as all goods, chattels, and other articles of value (but does not include the vehicular items enumerated in Art. VII, s. 1(b) of the Florida Constitution and elsewhere defined) capable of manual possession and whose chief value is intrinsic to the article itself.

<sup>20</sup> FLA. CONST. art. VII, s. 4.

<sup>21</sup> FLA. CONST. art. VII, ss. 3, 4, and 6.

<sup>22</sup> [S. 196.031, F.S.](#)

<sup>23</sup> [S. 196.001, F.S.](#); see also *Sebring Airport Authority v. McIntyre*, 642 So. 2d 1072, 1073 (Fla. 1994), noting exemptions are strictly construed against the party claiming them.

<sup>24</sup> *Archer v. Marshall*, 355 So. 2d 781, 784 (Fla. 1978).

<sup>25</sup> *Sebring Airport Auth. v. McIntyre*, 783 So. 2d 238, 248 (Fla. 2001); *Archer v. Marshall*, 355 So. 2d 781, 784. (Fla. 1978); *Am Fi Inv. Corp v. Kinney*, 360 So. 2d 415 (Fla. 1978); see also *Sparkman v. State*, 58 So. 2d 431, 432 (Fla. 1952).

### [Funding for Law Enforcement Services](#)

Each county and municipality must prepare, approve, adopt, and execute a budget for each fiscal year.<sup>26</sup>

Sheriffs are responsible for preparing a proposed budget that is submitted to the board of county commissioners for inclusion in the county's budget.<sup>27</sup> When the board conducts its budget hearing, it may amend, modify, increase, or reduce any item of expenditure in the sheriff's proposed budget.<sup>28</sup> The board may approve the budget as modified, but must provide written notice to the sheriff of any changes. Upon receiving written notice that his or her budget has been changed by the board, the sheriff may appeal the modified budget by petition to the Administration Commission.<sup>29</sup>

Municipal law enforcement budgets are set at the discretion of the governing body of the municipality; however, if the tentative budget of a municipality reduces the operating budget of the municipal law enforcement agency by more than 5 percent compared to the current year's approved operating budget, the state attorney for the judicial circuit in which the municipality is located or a member of the governing body of the municipality may file a petition with the Division of Administrative Hearings to challenge the reduction.<sup>30</sup>

### RECENT LEGISLATION:

YEAR	BILL #	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2023	<a href="#">HJR 159</a> - Proposing amendments to the State Constitution to increase just value limit of real estate eligible for homestead tax exemption that may be granted by counties or municipalities to certain senior, low-income, long-term residents.	Borrero, Garcia	The bill passed the House, but died in Senate.

### BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Select Committee on Property Taxes</a>	24 Y, 9 N	11/20/2025	Aldridge	Berg
<a href="#">State Affairs Committee</a>	18 Y, 7 N	12/2/2025	Williamson	Darden
<a href="#">Ways &amp; Means Committee</a>				

<sup>26</sup> [Ss. 129.01\(1\)](#) and [166.241\(2\)](#), F.S.

<sup>27</sup> [Ss. 30.49\(1\)](#) and [129.03\(2\)](#), F.S.

<sup>28</sup> [S. 30.49\(4\)](#), F.S.

<sup>29</sup> See s. [30.49\(4\)](#) and [\(5\)](#), F.S., for details about the budget appeals process for the sheriff's budget.

<sup>30</sup> [S. 166.241\(4\)\(a\)](#), F.S.