

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 #: [CS/CS/HJR 213](#)

TITLE: Modification of Limitations on Property Assessment Increases
SPONSOR(S): Griffitts

COMPANION BILL: None

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Select Committee on Property](#)

[Taxes](#)

24 Y, 10 N

[State Affairs](#)

17 Y, 7 N, As CS

[Ways & Means](#)

11 Y, 4 N, As CS

SUMMARY

Effect of the Bill:

The joint resolution proposes an amendment to Article VII, Section 4 of the Florida Constitution to provide that changes in assessments for individual properties will only occur once every three years for ad valorem taxes levied by counties, cities, and special districts. Increases in assessments for homestead properties will be limited to 3% or the change in inflation over the 3-year period, whichever is lower. Increases in assessments of non-homestead property will be limited to 15% every third year. Increases are prohibited if the just value of the property is higher than the just value of the property the last time the assessment changed. The joint resolution also proposes a new Section 7 of Article VIII of the Florida Constitution to prohibit local governments from reducing funding for services provided by first responders below a specified base year.

Subject to approval by 60 percent of voters during the 2026 general election, the proposed amendment 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) has not estimated the impact of the bill as amended, however it will have a zero/negative indeterminate impact on local government revenues due to the requirement for voter approval. If approved, and assuming current millage rates, the REC estimated that the restrictions on increasing non-school assessments every 3 years will have a negative impact non-school property tax revenues in FY 2027-28 (-\$1.7 billion cash; -\$5.2 billion recurring). Staff estimates the provision prohibiting assessment increases when just value has declined will have a negative indeterminate impact on local non-school revenues in FY 2027-28.

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 4 of the Florida Constitution to provide that changes in the assessed valuation of individual parcels of real property may only occur once every three years. These changes only apply to ad valorem taxes levied by counties, cities, and special districts.

STORAGE NAME: h0213e.WMC

DATE: 1/27/2026

Specifically, the amendment changes the existing limitation on the annual increase of 3 percent or the change in inflation (whichever is lower) for homestead properties to apply every third year instead of each year. The amendment also changes the existing assessment increase limitation for non-homestead property to be 15 percent every third year, instead of 10 percent each year.

The amendment also removes the ability for non-school property assessments to increase if the just value of the property has decreased since the last time the assessed value of the property changed. These increases are sometimes referred to as "recapture," as they allow assessment changes to effectively decrease accrued Save Our Homes benefits from prior years.

These changes would apply to all ad valorem taxes **other** than school taxes. The effect of this would be to significantly slow the growth of assessed values of homestead and non-homestead properties for taxes levied by counties, cities, or special districts. These changes 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 services provided by law enforcement, firefighters, and first responders, as provided by general law, below the funding provided for such services in either Fiscal Year (FY) 2025-26 or FY 2026-27, whichever is higher.

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) has not estimated the impact of the bill as amended, however it will have a zero/negative indeterminate impact on local government revenues due to the requirement for voter approval. If approved, and assuming current millage rates, the REC estimated that the restrictions on increasing non-school assessments every 3 years will have a negative impact non-school property tax revenues in FY 2027-28 (-\$1.7 billion cash; -\$5.2 billion recurring).¹ Staff estimates the provision prohibiting assessment increases when just value has declined will have a negative indeterminate impact on local non-school revenues in FY 2027-28.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Limitation on Annual Increases in Assessments for Real Property

The Florida Constitution² provides that, for those entitled to a homestead exemption, the assessed value of the homestead for all levies must be changed annually on January 1 of each year.³ Those changes in assessments cannot exceed the lesser of 3 percent of the prior year's assessment or the percent change in the Consumer Price Index⁴ for the preceding calendar year.⁵

¹ The impact to local government revenues adopted by the REC for HJR 213 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).

² As amended by Constitutional Amendment 10 (1992), commonly referred to as the "Save Our Homes" initiative.

³ FLA. CONST. art. VII, s. 4(d)(1).

⁴ Specifically, the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports.

⁵ FLA. CONST. art. VII, s. 4(d)(1), implemented by s. [193.155, F.S.](#)

For non-homestead property, for purposes of all levies other than school district levies, the property is reassessed each January 1, but cannot increase by more than 10 percent over the prior year's assessed value.⁶ Property is generally reassessed at just value on January 1 following a change of ownership,⁷ and changes, additions, or improvements are also generally assessed at just value on January 1 following the change.⁸ The assessed value of non-homestead property is not limited by the 10 percent cap for purposes of school levies.

Assessed Value

The assessed value of property is the annual determination of the value of a parcel of property for property tax purposes.⁹ If it is newly acquired property, the assessed value is generally the just or fair market value of the property.¹⁰ If the property is real property that has been owned for more than one year, then the assessed value is generally the value of the property from the prior year, adjusted for changes in just or fair market value, with assessment increases limited pursuant to assessment limitations found in the Florida Constitution (generally 3 percent or the change in the consumer price index for homestead property, or 10 percent for non-homestead property).¹¹ The Florida Constitution authorizes the Legislature to provide for assessment of certain property based on its particular use.¹² For example, property classified as agricultural is assessed based upon specific factors related to its agricultural use.¹³

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.¹⁴ 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.¹⁵

The Florida Constitution requires all property be assessed at just value for ad valorem tax purposes,¹⁶ and provides for specified assessment limitations, property classifications, and exemptions.¹⁷ 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.¹⁸

Unless expressly exempted from taxation, all real and personal property and leasehold interests in the state are subject to taxation.¹⁹ The Florida Constitution limits the Legislature's authority to grant an exemption or assessment limitation from taxes,²⁰ and any modifications to existing ad valorem tax exemptions or limitations must be consistent with the constitutional provision authorizing the exemption or limitation.²¹

⁶ FLA. CONST. art. VII, s. 4(g)(1) and 4(h)(1), implemented by [ss. 193.1554\(3\)](#) and [193.1555\(3\), F.S.](#)

⁷ FLA. CONST. art. VII, s. 4(g)(3 and 4(h)(4), implemented by [ss. 193.1554\(5\)](#) and [193.1555\(5\), F.S.](#)

⁸ FLA. CONST. art. VII, s. 4(g)(4) and 4(h)(5), implemented by [ss. 193.1554\(6\)](#) and [193.1555\(6\), F.S.](#)

⁹ [S. 192.001\(2\), F.S.](#)

¹⁰ [S. 192.001\(2\)\(a\), F.S.](#)

¹¹ [S. 192.001\(2\)\(b\), F.S.](#)

¹² FLA. CONST. art. VII, s. 4(a), (b) and (c).

¹³ [S. 193.461, F.S.](#)

¹⁴ FLA. CONST. art. VII, ss. 1(a), 9(a).

¹⁵ 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.

¹⁶ FLA. CONST. art. VII, s. 4.

¹⁷ FLA. CONST. art. VII, ss. 3, 4, and 6.

¹⁸ [S. 196.031, F.S.](#)

¹⁹ [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.

²⁰ *Archer v. Marshall*, 355 So. 2d 781, 784 (Fla. 1978).

²¹ *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).

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).²² 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.²³ Only one homestead exemption is allowed to any one person or on any one dwelling house.²⁴ Individual condominium owners, however, can each qualify for a separate homestead designation.²⁵ Homestead property is assessed at just value on January 1 of the first year after the property becomes a homestead,²⁶ and is re-assessed at just value if there is a sale or other change of ownership.²⁷

Non-homestead Property

Property that is residential real property but does not qualify as homestead property, or which is not residential property and is not subject to special classification (e.g., agricultural property), is colloquially referred to as “non-homestead property.” This type of real property is assessed at just value on January 1 of the year the property is purchased or the year it becomes non-homestead property (in the case of a homestead property that is shifted to another use, like a vacation home or rental property).²⁸

Just Value

Section 4, Art. VII of the State Constitution requires that all property be assessed at just value for ad valorem tax purposes. Under Florida law, “just valuation” is synonymous with “fair market value,” and is defined as what a willing buyer would pay a willing seller for property in an arm’s length transaction.²⁹

Recapture

As noted above, Florida law provides that property values must be changed annually on January 1 of each year in accordance with applicable limitations (the lower of 3% or the change in the Consumer Price Index for homestead properties, 10 percent for non-homestead properties).³⁰ More specifically, property appraisers are required to increase the prior year’s assessment “[w]here the current year **just value** of an individual property exceeds the prior year **assessed value...**” (emphasis added).³¹

This requirement applies even if the just value of the homestead property has decreased from the prior year, as long as the just value still exceeds the prior assessed value. Therefore, homestead owners entitled to the “Save Our Homes” cap whose property is assessed at less than just value may see an increase in the assessed value of their home in years where the just value of their property has decreased.

For example:

- A homestead has a just value of \$250,000 and an assessed value of \$200,000 based on prior Save Our Homes assessment increase limitations.
- The next year the home has a just value of \$240,000 as the market has cooled, but the assessed value will still increase if the change in the Consumer Price Index was positive.

²² FLA. CONST. art. VII, s. 6(a) and [s. 196.031\(1\)\(a\), F.S.](#)

²³ [S. 196.031\(1\)\(a\), F.S.](#)

²⁴ *Id.*

²⁵ *Id.*

²⁶ [S. 193.155\(1\), F.S.](#)

²⁷ [S. 193.155\(3\), F.S.](#)

²⁸ [Ss. 193.1554\(2\) and 193.1555\(2\), F.S.](#)

²⁹ [S. 193.011, F.S.](#) See, also, *Walter v. Shuler*, 176 So.2d 81 (Fla. 1965); *Deltona Corp. v. Bailey*, 336 So.2d 1163 (Fla. 1976); and *Southern Bell Tel. & Tel. Co. v. Dade County*, 275 So.2d 4 (Fla. 1973).

³⁰ FLA. CONST. art. VII, s. 4(d)(1), implemented by s. [193.155, F.S.](#)

³¹ Rule 12D-8.0062(5), F.A.C.

Funding for Services Provided by Law Enforcement, Firefighters, and First Responders

Each county, municipality, and special district must prepare, approve, adopt, and execute a budget for each fiscal year.³² Funding for fire rescue and emergency medical services is set at the discretion of the governing body of the local government.³³

Sheriffs are responsible for preparing a proposed budget that is submitted to the board of county commissioners for inclusion in the county's budget.³⁴ When the board conducts its budget hearing, it may amend, modify, increase, or reduce any item of expenditure in the sheriff's proposed budget.³⁵ 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.³⁶

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.³⁷

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Select Committee on Property Taxes	24 Y, 10 N	11/20/2025	Aldridge	Berg
State Affairs Committee	17 Y, 7 N, As CS	1/22/2026	Williamson	Darden
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Expands the prohibition on decreases in funding for law enforcement to include firefighters and first responders as defined by general law. • Makes wording changes to the ballot statement to increase readability and clarity. 			
Ways & Means Committee	11 Y, 4 N, As CS	1/27/2026	Aldridge	Berg
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Prohibits assessment increases for non-school taxes when the just value of a property has decreased since the last time the property assessment changed. 			

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

³² [Ss. 129.01\(1\), 166.241\(2\), and 189.016\(3\), F.S.](#)

³³ See e.g., Alachua County, *Alachua County Manager's Budget Book Fiscal Year 2025-2026*, p. 31, <https://alachuacounty.us/Depts/OMB/Budgets/FY26%20County%20Manager%20Book.pdf> (last visited Jan. 15, 2026). (stating that the county's fire rescue services are a department of the county that provides fire protection, emergency medical response, and disaster response and recovery operations).

³⁴ [Ss. 30.49\(1\) and 129.03\(2\), F.S.](#)

³⁵ [S. 30.49\(4\), F.S.](#)

³⁶ See [S. 30.49\(4\) and \(5\), F.S.](#), for details about the budget appeals process for the sheriff's budget.

³⁷ [S. 166.241\(4\)\(a\), F.S.](#)