A bill to be entitled

An act relating to ad valorem taxation; amending s. 193.155, F.S.; revising the Save-Our-Homes portability benefits available to married persons establishing a joint homestead; amending s. 200.065, F.S.; prohibiting an increase in the prior year's adopted millage rate from going into effect unless approved by a specified vote; authorizing the Department of Revenue to adopt emergency rules; providing for future expiration; providing application; providing effective dates.

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

Section 1. Paragraph (c) of subsection (8) of section 193.155, Florida Statutes, is amended to read:

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

(8) Property assessed under this section shall be assessed at less than just value when the person who establishes a new homestead has received a homestead exemption as of January 1 of

any of the 3 immediately preceding years. For purposes of this subsection, a husband and wife who owned and both permanently resided on a previous homestead shall each be considered to have received the homestead exemption even though only the husband or the wife applied for the homestead exemption on the previous homestead. The assessed value of the newly established homestead shall be determined as provided in this subsection.

(c)1. Except as provided in subparagraph 2., if two or more persons who have each received a homestead exemption as of January 1 of any of the 3 immediately preceding years and who would otherwise be eligible to have a new homestead property assessed under this subsection establish a single new homestead, the reduction from just value is limited to the higher of the difference between the just value and the assessed value of either of the prior eligible homesteads as of January 1 of the year in which either of the eligible prior homesteads was abandoned, but may not exceed $500,000.

2. If a married couple establishes a single new homestead under this subsection and each spouse, before the marriage, received a separate homestead exemption as of January 1 of any of the 3 immediately preceding years, the reduction from just value is equal to the combined difference between the just value and the assessed value of both of the prior eligible homesteads as of January 1 of the year in which one or both of the respective eligible prior homesteads were abandoned, but may not

<u>exceed a total of $500,000. For purposes of this subparagraph, the new homestead may be comprised of either of the prior eligible homesteads.</u>

Section 2. Paragraph (c) is added to subsection (5) of section 200.065, Florida Statutes, to read:

200.065 Method of fixing millage.—

(5) In each fiscal year:

<u>(c) Except as provided in subparagraph (a)2., the prior year adopted millage rate may only be increased if approved by a two-thirds vote of the membership of the governing body of the county, municipality, or independent district.</u>

Any unit of government operating under a home rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII of the State Constitution of 1885, as preserved by s. 6(e), Art. VIII of the State Constitution, which is granted the authority in the State Constitution to exercise all the powers conferred now or hereafter by general law upon municipalities and which exercises such powers in the unincorporated area shall be recognized as a municipality under this subsection. For a downtown development authority established before the effective date of the State Constitution which has a millage that must be approved by a municipality, the governing body of that municipality shall be considered the governing body of the downtown development authority for purposes of this subsection.

Section 3. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to implement the amendments made by this act to ss. 193.155 and 200.065, Florida Statutes. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section shall take effect upon this act becoming a law and expires July 1, 2028.

Section 4. The amendments made by this act to ss. 193.155 and 200.065, Florida Statutes, first apply to the 2027 tax roll.

Section 5. Except as otherwise expressly provided for in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect January 1, 2027.