

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/HB 227](#)

TITLE: Eligibility of Leasehold Interests for Homestead Exemptions

SPONSOR(S): Maney

COMPANION BILL: [CS/SB 110](#) (Arrington)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Ways & Means](#)

17 Y, 0 N



[Intergovernmental Affairs](#)

15 Y, 0 N



[State Affairs](#)

24 Y, 0 N, As CS

SUMMARY

Effect of the Bill:

The bill clarifies that an individual who holds a 98-year or longer residential lease is still eligible for the homestead tax exemption on the property even if the lease terminates upon their death.

Fiscal or Economic Impact:

The Revenue Estimating Conference estimated that the bill will not impact state or local government revenues.

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ANALYSIS

EFFECT OF THE BILL:

The bill expressly provides that a lessee owning a leasehold interest in a [bona fide lease having an original term of 98 years or more](#) in a residential or condominium parcel is eligible for a [homestead tax exemption](#) on the property even if the lease contains a provision terminating the leasehold interest upon the death of the lessee. (Section [1](#))

The bill provides that this change is remedial and clarifying in nature. (Section [2](#))

This bill takes effect upon becoming a law. (Section [3](#))

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Homestead Tax Exemption

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 and is applicable to all ad valorem tax levies, including levies by school districts.¹ An additional \$25,000 exemption applies to the assessed value of homestead property between \$50,000 and \$75,000.² This exemption is adjusted annually for inflation³ and does not apply to ad valorem taxes levied by school districts.⁴

Lease of 98-Years or More

As noted above, Florida law requires that property be owned by an individual claiming a homestead exemption, either through legal title or through equitable title.⁵ Florida law provides certain situations that are deemed to be

¹ [Art. VII, s. 6\(a\), Fla. Const.](#) and [s. 196.031\(1\)\(a\), F.S.](#)

² [Art. VII, s. 6\(a\)\(1\)b., Fla. Const.](#) and [s. 196.031\(1\)\(b\), F.S.](#)

³ [Art. VII, s. 6\(a\)\(3\), Fla. Const.](#) and [s. 196.031\(1\)\(b\), F.S.](#) In 2025, the adjusted value of this exemption is \$25,722. See Florida Dept. of Revenue, [Additional Homestead Exemption Adjustment](#) (last visited Jan. 20, 2026).

⁴ [Art. VII, s. 6\(a\)\(1\)b., Fla. Const.](#) and [s. 196.031\(1\)\(b\), F.S.](#)

⁵ [Art. VII, s. 6\(a\)\(1\)a., Fla. Const.](#) and [s. 196.031\(1\)\(a\), F.S.](#)

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equitable title for these purposes.⁶ One of the most common examples of equitable title is a lessee who owns the leasehold interest in a bona fide lease that has an original term of 98 years or more.⁷ In this situation, the property may be legally owned by another individual, a trust, a limited liability company, or another entity, but the lessee can still receive homestead benefits pursuant to the bona fide 98-year lease.⁸

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Ways & Means Committee	17 Y, 0 N	12/10/2025	Aldridge	Kurtz
Intergovernmental Affairs Subcommittee	15 Y, 0 N	1/14/2026	Darden	Hilliard
State Affairs Committee	24 Y, 0 N, As CS	2/10/2026	Williamson	Hilliard

THE CHANGES ADOPTED BY THE COMMITTEE:	Clarified that the homestead exemption applies to leases containing provisions that terminate the leasehold interest upon the death of the lessee.
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THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

⁶ Section [196.041, F.S.](#)

⁷ See Jeffery A. Baskies and John H. Pelzer, [Higgs v. Warrick: Lessees of 99-Year Leases Qualify for Homestead and Save Our Homes Tax Exemption](#), 83 Fla. B.J. 38 (November 2009).

⁸ Section [196.041\(1\), F.S.](#)