

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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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.

JUMP TO

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

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.

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.](#)