

House Joint Resolution

A joint resolution proposing amendments to Sections 3, 4, 6, and 9 of Article VII of the State Constitution to remove the authority of counties and school districts to levy ad valorem taxes.

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

That the following amendment to Sections 3, 4, 6, and 9 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 3. Taxes; exemptions.—

(a) All property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes may be exempted by general law from taxation.

(b) There shall be exempt from taxation, cumulatively, to

26 every head of a family residing in this state, household goods
27 and personal effects to the value fixed by general law, not less
28 than one thousand dollars, and to every widow or widower or
29 person who is blind or totally and permanently disabled,
30 property to the value fixed by general law not less than five
31 hundred dollars.

32 (c) Any ~~county or~~ municipality may, for the purpose of its
33 respective tax levy and subject to the provisions of this
34 subsection and general law, grant community and economic
35 development ad valorem tax exemptions to new businesses and
36 expansions of existing businesses, as defined by general law.
37 Such an exemption may be granted only by ordinance of the ~~county~~
38 ~~or~~ municipality, and only after the electors of the ~~county or~~
39 municipality voting on such question in a referendum authorize
40 the ~~county or~~ municipality to adopt such ordinances. An
41 exemption so granted shall apply to improvements to real
42 property made by or for the use of a new business and
43 improvements to real property related to the expansion of an
44 existing business and shall also apply to tangible personal
45 property of such new business and tangible personal property
46 related to the expansion of an existing business. The amount or
47 limits of the amount of such exemption shall be specified by
48 general law. The period of time for which such exemption may be
49 granted to a new business or expansion of an existing business
50 shall be determined by general law. The authority to grant such

51 exemption shall expire ten years from the date of approval by
52 the electors of the ~~county or~~ municipality, and may be renewable
53 by referendum as provided by general law.

54 (d) Any ~~county or~~ municipality may, for the purpose of its
55 respective tax levy and subject to the provisions of this
56 subsection and general law, grant historic preservation ad
57 valorem tax exemptions to owners of historic properties. This
58 exemption may be granted only by ordinance of the ~~county or~~
59 municipality. The amount or limits of the amount of this
60 exemption and the requirements for eligible properties must be
61 specified by general law. The period of time for which this
62 exemption may be granted to a property owner shall be determined
63 by general law.

64 (e) By general law and subject to conditions specified
65 therein:

66 (1) Twenty-five thousand dollars of the assessed value of
67 property subject to tangible personal property tax shall be
68 exempt from ad valorem taxation.

69 (2) The assessed value of solar devices or renewable
70 energy source devices subject to tangible personal property tax
71 may be exempt from ad valorem taxation, subject to limitations
72 provided by general law.

73 (f) There shall be granted an ad valorem tax exemption for
74 real property dedicated in perpetuity for conservation purposes,
75 including real property encumbered by perpetual conservation

76 easements or by other perpetual conservation protections, as
77 defined by general law.

78 (g) By general law and subject to the conditions specified
79 therein, each person who receives a homestead exemption as
80 provided in section 6 of this article; who was a member of the
81 United States military or military reserves, the United States
82 Coast Guard or its reserves, or the Florida National Guard; and
83 who was deployed during the preceding calendar year on active
84 duty outside the continental United States, Alaska, or Hawaii in
85 support of military operations designated by the legislature
86 shall receive an additional exemption equal to a percentage of
87 the taxable value of his or her homestead property. The
88 applicable percentage shall be calculated as the number of days
89 during the preceding calendar year the person was deployed on
90 active duty outside the continental United States, Alaska, or
91 Hawaii in support of military operations designated by the
92 legislature divided by the number of days in that year.

93 SECTION 4. Taxation; assessments.—By general law
94 regulations shall be prescribed which shall secure a just
95 valuation of all property for ad valorem taxation, provided:

96 (a) Agricultural land, land producing high water recharge
97 to Florida's aquifers, or land used exclusively for
98 noncommercial recreational purposes may be classified by general
99 law and assessed solely on the basis of character or use.

100 (b) As provided by general law and subject to conditions,

101 limitations, and reasonable definitions specified therein, land
102 used for conservation purposes shall be classified by general
103 law and assessed solely on the basis of character or use.

104 (c) Pursuant to general law tangible personal property
105 held for sale as stock in trade and livestock may be valued for
106 taxation at a specified percentage of its value, may be
107 classified for tax purposes, or may be exempted from taxation.

108 (d) All persons entitled to a homestead exemption under
109 Section 6 of this Article shall have their homestead assessed at
110 just value as of January 1 of the year following the effective
111 date of this amendment. This assessment shall change only as
112 provided in this subsection.

113 (1) Assessments subject to this subsection shall be
114 changed annually on January 1st of each year; but those changes
115 in assessments shall not exceed the lower of the following:

116 a. Three percent (3%) of the assessment for the prior
117 year.

118 b. The percent change in the Consumer Price Index for all
119 urban consumers, U.S. City Average, all items 1967=100, or
120 successor reports for the preceding calendar year as initially
121 reported by the United States Department of Labor, Bureau of
122 Labor Statistics.

123 (2) No assessment shall exceed just value.

124 (3) After any change of ownership, as provided by general
125 law, homestead property shall be assessed at just value as of

January 1 of the following year, unless the provisions of paragraph (8) apply. Thereafter, the homestead shall be assessed as provided in this subsection.

(4) New homestead property shall be assessed at just value as of January 1st of the year following the establishment of the homestead, unless the provisions of paragraph (8) apply. That assessment shall only change as provided in this subsection.

(5) Changes, additions, reductions, or improvements to homestead property shall be assessed as provided for by general law; provided, however, after the adjustment for any change, addition, reduction, or improvement, the property shall be assessed as provided in this subsection.

(6) In the event of a termination of homestead status, the property shall be assessed as provided by general law.

(7) The provisions of this amendment are severable. If any of the provisions of this amendment shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this amendment.

(8)a. A person who establishes a new homestead as of January 1 and who has received a homestead exemption pursuant to Section 6 of this Article as of January 1 of any of the three years immediately preceding the establishment of the new homestead is entitled to have the new homestead assessed at less than just value. The assessed value of the newly established

homestead shall be determined as follows:

1. If the just value of the new homestead is greater than or equal to the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be the just value of the new homestead minus an amount equal to the lesser of \$500,000 or the difference between the just value and the assessed value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned. Thereafter, the homestead shall be assessed as provided in this subsection.

2. If the just value of the new homestead is less than the just value of the prior homestead as of January 1 of the year in which the prior homestead was abandoned, the assessed value of the new homestead shall be equal to the just value of the new homestead divided by the just value of the prior homestead and multiplied by the assessed value of the prior homestead.

However, if the difference between the just value of the new homestead and the assessed value of the new homestead calculated pursuant to this sub-subparagraph is greater than \$500,000, the assessed value of the new homestead shall be increased so that the difference between the just value and the assessed value equals \$500,000. Thereafter, the homestead shall be assessed as provided in this subsection.

b. By general law and subject to conditions specified therein, the legislature shall provide for application of this

176 paragraph to property owned by more than one person.

177 (e) The legislature may, by general law, for assessment
178 purposes and subject to the provisions of this subsection, allow
179 counties and municipalities to authorize by ordinance that
180 historic property may be assessed solely on the basis of
181 character or use. Such character or use assessment shall apply
182 only to the jurisdiction adopting the ordinance. The
183 requirements for eligible properties must be specified by
184 general law.

185 (f) A county may, in the manner prescribed by general law,
186 provide for a reduction in the assessed value of homestead
187 property to the extent of any increase in the assessed value of
188 that property which results from the construction or
189 reconstruction of the property for the purpose of providing
190 living quarters for one or more natural or adoptive grandparents
191 or parents of the owner of the property or of the owner's spouse
192 if at least one of the grandparents or parents for whom the
193 living quarters are provided is 62 years of age or older. Such a
194 reduction may not exceed the lesser of the following:

195 (1) The increase in assessed value resulting from
196 construction or reconstruction of the property.

197 (2) Twenty percent of the total assessed value of the
198 property as improved.

199 (g) For all levies ~~other than school district levies,~~
200 assessments of residential real property, as defined by general

201 law, which contains nine units or fewer and which is not subject
202 to the assessment limitations set forth in subsections (a)
203 through (d) shall change only as provided in this subsection.

204 (1) Assessments subject to this subsection shall be
205 changed annually on the date of assessment provided by law; but
206 those changes in assessments shall not exceed ten percent (10%)
207 of the assessment for the prior year.

208 (2) No assessment shall exceed just value.

209 (3) After a change of ownership or control, as defined by
210 general law, including any change of ownership of a legal entity
211 that owns the property, such property shall be assessed at just
212 value as of the next assessment date. Thereafter, such property
213 shall be assessed as provided in this subsection.

214 (4) Changes, additions, reductions, or improvements to
215 such property shall be assessed as provided for by general law;
216 however, after the adjustment for any change, addition,
217 reduction, or improvement, the property shall be assessed as
218 provided in this subsection.

219 (h) For all levies ~~other than school district levies~~,
220 assessments of real property that is not subject to the
221 assessment limitations set forth in subsections (a) through (d)
222 and (g) shall change only as provided in this subsection.

223 (1) Assessments subject to this subsection shall be
224 changed annually on the date of assessment provided by law; but
225 those changes in assessments shall not exceed ten percent (10%)

226 of the assessment for the prior year.

227 (2) No assessment shall exceed just value.

228 (3) The legislature must provide that such property shall
229 be assessed at just value as of the next assessment date after a
230 qualifying improvement, as defined by general law, is made to
231 such property. Thereafter, such property shall be assessed as
232 provided in this subsection.

233 (4) The legislature may provide that such property shall
234 be assessed at just value as of the next assessment date after a
235 change of ownership or control, as defined by general law,
236 including any change of ownership of the legal entity that owns
237 the property. Thereafter, such property shall be assessed as
238 provided in this subsection.

239 (5) Changes, additions, reductions, or improvements to
240 such property shall be assessed as provided for by general law;
241 however, after the adjustment for any change, addition,
242 reduction, or improvement, the property shall be assessed as
243 provided in this subsection.

244 (i) The legislature, by general law and subject to
245 conditions specified therein, may prohibit the consideration of
246 the following in the determination of the assessed value of real
247 property:

248 (1) Any change or improvement to real property used for
249 residential purposes made to improve the property's resistance
250 to wind damage.

251 (2) The installation of a solar or renewable energy source
252 device.

253 (j)(1) The assessment of the following working waterfront
254 properties shall be based upon the current use of the property:

255 a. Land used predominantly for commercial fishing
256 purposes.

257 b. Land that is accessible to the public and used for
258 vessel launches into waters that are navigable.

259 c. Marinas and drystacks that are open to the public.

260 d. Water-dependent marine manufacturing facilities,
261 commercial fishing facilities, and marine vessel construction
262 and repair facilities and their support activities.

263 (2) The assessment benefit provided by this subsection is
264 subject to conditions and limitations and reasonable definitions
265 as specified by the legislature by general law.

266 SECTION 6. Homestead exemptions.—

267 (a)(1) Every person who has the legal or equitable title
268 to real estate and maintains thereon the permanent residence of
269 the owner, or another legally or naturally dependent upon the
270 owner, shall be exempt from taxation thereon, except assessments
271 for special benefits, as follows:

272 a. Up to the assessed valuation of twenty-five thousand
273 dollars; and

274 b. For all levies ~~other than school district levies~~, on
275 the assessed valuation greater than fifty thousand dollars and

276 up to seventy-five thousand dollars,

277
278 upon establishment of right thereto in the manner prescribed by
279 law. The real estate may be held by legal or equitable title, by
280 the entireties, jointly, in common, as a condominium, or
281 indirectly by stock ownership or membership representing the
282 owner's or member's proprietary interest in a corporation owning
283 a fee or a leasehold initially in excess of ninety-eight years.
284 The exemption shall not apply with respect to any assessment
285 roll until such roll is first determined to be in compliance
286 with the provisions of section 4 by a state agency designated by
287 general law. This exemption is repealed on the effective date of
288 any amendment to this Article which provides for the assessment
289 of homestead property at less than just value.

290 (2) The twenty-five thousand dollar amount of assessed
291 valuation exempt from taxation provided in subparagraph (a)(1)b.
292 shall be adjusted annually on January 1 of each year for
293 inflation using the percent change in the Consumer Price Index
294 for All Urban Consumers, U.S. City Average, all items 1967=100,
295 or successor reports for the preceding calendar year as
296 initially reported by the United States Department of Labor,
297 Bureau of Labor Statistics, if such percent change is positive.

298 (3) The amount of assessed valuation exempt from taxation
299 for which every person who has the legal or equitable title to
300 real estate and maintains thereon the permanent residence of the

owner, or another person legally or naturally dependent upon the owner, is eligible, ~~and which applies solely to levies other than school district levies,~~ that is added to this constitution after January 1, 2025, shall be adjusted annually on January 1 of each year for inflation using the percent change in the Consumer Price Index for All Urban Consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics, if such percent change is positive, beginning the year following the effective date of such exemption.

(b) Not more than one exemption shall be allowed any individual or family unit or with respect to any residential unit. No exemption shall exceed the value of the real estate assessable to the owner or, in case of ownership through stock or membership in a corporation, the value of the proportion which the interest in the corporation bears to the assessed value of the property.

(c) By general law and subject to conditions specified therein, the Legislature may provide to renters, who are permanent residents, ad valorem tax relief on all ad valorem tax levies. Such ad valorem tax relief shall be in the form and amount established by general law.

(d) The legislature may, by general law, allow counties or municipalities, for the purpose of their respective tax levies

and subject to the provisions of general law, to grant either or both of the following additional homestead tax exemptions:

(1) An exemption not exceeding fifty thousand dollars to a person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, who has attained age sixty-five, and whose household income, as defined by general law, does not exceed twenty thousand dollars; or

(2) An exemption equal to the assessed value of the property to a person who has the legal or equitable title to real estate with a just value less than two hundred and fifty thousand dollars, as determined in the first tax year that the owner applies and is eligible for the exemption, and who has maintained thereon the permanent residence of the owner for not less than twenty-five years, who has attained age sixty-five, and whose household income does not exceed the income limitation prescribed in paragraph (1).

The general law must allow counties and municipalities to grant these additional exemptions, within the limits prescribed in this subsection, by ordinance adopted in the manner prescribed by general law, and must provide for the periodic adjustment of the income limitation prescribed in this subsection for changes in the cost of living.

(e)(1) Each veteran who is age 65 or older who is partially or totally permanently disabled shall receive a

discount from the amount of the ad valorem tax otherwise owed on homestead property the veteran owns and resides in if the disability was combat related and the veteran was honorably discharged upon separation from military service. The discount shall be in a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veterans Affairs. To qualify for the discount granted by this paragraph, an applicant must submit to the county property appraiser, by March 1, an official letter from the United States Department of Veterans Affairs stating the percentage of the veteran's service-connected disability and such evidence that reasonably identifies the disability as combat related and a copy of the veteran's honorable discharge. If the property appraiser denies the request for a discount, the appraiser must notify the applicant in writing of the reasons for the denial, and the veteran may reapply. The Legislature may, by general law, waive the annual application requirement in subsequent years.

(2) If a veteran who receives the discount described in paragraph (1) predeceases his or her spouse, and if, upon the death of the veteran, the surviving spouse holds the legal or beneficial title to the homestead property and permanently resides thereon, the discount carries over to the surviving spouse until he or she remarries or sells or otherwise disposes of the homestead property. If the surviving spouse sells or

otherwise disposes of the property, a discount not to exceed the dollar amount granted from the most recent ad valorem tax roll may be transferred to the surviving spouse's new homestead property, if used as his or her permanent residence and he or she has not remarried.

(3) This subsection is self-executing and does not require implementing legislation.

(f) By general law and subject to conditions and limitations specified therein, the Legislature may provide ad valorem tax relief equal to the total amount or a portion of the ad valorem tax otherwise owed on homestead property to:

(1) The surviving spouse of a veteran who died from service-connected causes while on active duty as a member of the United States Armed Forces.

(2) The surviving spouse of a first responder who died in the line of duty.

(3) A first responder who is totally and permanently disabled as a result of an injury or injuries sustained in the line of duty. Causal connection between a disability and service in the line of duty shall not be presumed but must be determined as provided by general law. For purposes of this paragraph, the term "disability" does not include a chronic condition or chronic disease, unless the injury sustained in the line of duty was the sole cause of the chronic condition or chronic disease.

As used in this subsection and as further defined by general law, the term "first responder" means a law enforcement officer, a correctional officer, a firefighter, an emergency medical technician, or a paramedic, and the term "in the line of duty" means arising out of and in the actual performance of duty required by employment as a first responder.

SECTION 9. Local taxes.—

(a) ~~Counties, school districts, and~~ Municipalities shall, and special districts may, be authorized by law to levy ad valorem taxes and may be authorized by general law to levy other taxes, for their respective purposes, except ad valorem taxes on intangible personal property and taxes prohibited by this constitution.

(b) Ad valorem taxes, exclusive of taxes levied for the payment of bonds and taxes levied for periods not longer than two years when authorized by vote of the electors who are the owners of freeholds therein not wholly exempt from taxation, shall not be levied in excess of the following millages upon the assessed value of real estate and tangible personal property: ~~for all county purposes, ten mills;~~ for all municipal purposes, ten mills; ~~for all school purposes, ten mills;~~ for water management purposes for the northwest portion of the state lying west of the line between ranges two and three east, 0.05 mill; for water management purposes for the remaining portions of the state, 1.0 mill; and for all other special districts a millage

426 authorized by law approved by vote of the electors who are
427 owners of freeholds therein not wholly exempt from taxation. A
428 ~~county furnishing municipal services may, to the extent~~
429 ~~authorized by law, levy additional taxes within the limits fixed~~
430 ~~for municipal purposes.~~

431 BE IT FURTHER RESOLVED that the following statement be
432 placed on the ballot:

433 CONSTITUTIONAL AMENDMENT

434 ARTICLE VII, SECTION 3, 4, 6, AND 9

435 REMOVE AD VALOREM TAXING AUTHORITY OF COUNTIES AND SCHOOL
436 DISTRICTS.—Proposing an amendment to the State Constitution to
437 remove the authority of counties and school districts to levy ad
438 valorem taxes.