

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/CS/CS/CS/HJR 381 — Property Assessment/Homestead Exemption by Economic Affairs Committee; Appropriations Committee; Finance and Tax Committee; Community and Military Affairs Subcommittee; and Reps. Dorworth, Costello and others (CS/CS/SJR 658 by Judiciary Committee; Community Affairs Committee; and Senators Fasano and Gaetz)

This joint resolution proposes amendments to Article VII, section 4, of the Florida Constitution, to permit the Legislature to prohibit increases in the assessed value of homestead property and certain non-homestead property if the just value of the property decreases, with exceptions for changes, additions, reductions or improvements to property. The joint resolution also seeks to reduce the limitation on annual assessment increases applicable to certain non-homestead property from 10 percent to 5 percent.

The joint resolution proposes an amendment to Article VII, section 6, of the Florida Constitution, to allow individuals that are entitled to a homestead exemption under s. 6(a), Art. VII of the Florida Constitution, that have not previously received a homestead exemption in the past three calendar years to receive an additional homestead exemption equal to 50 percent of the just value of the homestead property not to exceed the median just value of all homestead property within the county. The additional exemption applies for a period of five years or until the property is sold and shall be reduced by 20 percent of the initial exemption on January 1 of each succeeding year until it is no longer available in the sixth and subsequent years. The exemption does not apply to school levies.

The joint resolution proposes an amendment to Article XII, section 27 of the Florida Constitution, to extend the sunset provisions relating to the non-homestead assessment limitation from January 1, 2019, to January 1, 2023.

The joint resolution creates Article XII, section 32 of the Florida Constitution, to provide that if the joint resolution is approved by Florida voters on the date of the 2012 presidential preference primary, this section and the amendments to Article VII, section 4 of the Florida Constitution, shall take effect upon approval of the voters, and operate retroactively to June 1, 2012. If the joint resolution is approved by Florida voters at the 2012 general election, these two provisions shall take effect on January 1, 2013.

The joint resolution also creates Article XII, section 33 of the Florida Constitution, to provide that if approved by Florida voters on the date of the 2012 presidential preference primary, this section and the amendments to Article VII, section 6 of the Florida Constitution, upon approval of the voters, and operate retroactively to January 1, 2012, and shall be available for properties purchased on or after January 1, 2011. If the joint resolution is approved by the Florida voters at the 2012 general election, then this provision shall take effect on January 1, 2013, and shall be available for properties purchased on or after January 1, 2012.

Vote: Senate 25-12; House 105-11