

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Economic Affairs Committee
2 Representative Caldwell offered the following:

3
4 **Amendment (with title amendment)**

5 Between lines 226 and 227, insert:

6 Section 5. Paragraphs (f) through (k) of subsection (8) of
7 section 193.155, Florida Statutes, are redesignated as
8 paragraphs (g) through (l), respectively, present paragraphs (d)
9 and (g) of that subsection are amended, and a new paragraph (f)
10 is added to that subsection, to read:

11 193.155 Homestead assessments.—Homestead property shall be
12 assessed at just value as of January 1, 1994. Property receiving
13 the homestead exemption after January 1, 1994, shall be assessed
14 at just value as of January 1 of the year in which the property
15 receives the exemption unless the provisions of subsection (8)
16 apply.

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

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20 either of the 2 immediately preceding years. A person who
21 establishes a new homestead as of January 1, 2008, is entitled
22 to have the new homestead assessed at less than just value only
23 if that person received a homestead exemption on January 1,
24 2007, and only if this subsection applies retroactive to January
25 1, 2008. For purposes of this subsection, a husband and wife who
26 owned and both permanently resided on a previous homestead shall
27 each be considered to have received the homestead exemption even
28 though only the husband or the wife applied for the homestead
29 exemption on the previous homestead. The assessed value of the
30 newly established homestead shall be determined as provided in
31 this subsection.

32 (d) If two or more persons abandon jointly owned and
33 jointly titled property that received a homestead exemption as
34 of January 1 of either of the 2 immediately preceding years, and
35 one or more such persons who were entitled to and received a
36 homestead exemption on the abandoned property establish a new
37 homestead that would otherwise be eligible for assessment under
38 this subsection, each such person establishing a new homestead
39 is entitled to a reduction from just value for the new homestead
40 equal to the just value of the prior homestead minus the
41 assessed value of the prior homestead divided by the number of
42 owners of the prior homestead who received a homestead
43 exemption, unless the title of the property contains specific
44 ownership shares, in which case the share of reduction from just
45 value shall be proportionate to the ownership share. In the case
46 of a husband and wife abandoning jointly titled property, the
47 husband and wife may designate the ownership share to be

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48 attributed to each spouse by following the procedure in
49 paragraph (f). To qualify to make such a designation, the
50 husband and wife must be married on the date that the jointly
51 owned property is abandoned. In calculating the assessment
52 reduction to be transferred from a prior homestead that has an
53 assessment reduction for living quarters of parents or
54 grandparents pursuant to s. 193.703, the value calculated
55 pursuant to s. 193.703(6) must first be added back to the
56 assessed value of the prior homestead. The total reduction from
57 just value for all new homesteads established under this
58 paragraph may not exceed \$500,000. There shall be no reduction
59 from just value of any new homestead unless the prior homestead
60 is reassessed at just value or is reassessed under this
61 subsection as of January 1 after the abandonment occurs.

62 (f) A husband and wife abandoning jointly titled property
63 who wish to designate the ownership share to be attributed to
64 each person for purposes of paragraph (d) must file a form
65 provided by the department with the property appraiser in the
66 county where such property is located. The form must include a
67 sworn statement by each person designating the ownership share
68 to be attributed to each person for purposes of paragraph (d)
69 and must be filed prior to either person filing the form
70 required under paragraph (h) to have a parcel of property
71 assessed under this subsection. Such a designation, once filed
72 with the property appraiser, is irrevocable.

73 (h) ~~(g)~~ In order to have his or her homestead property
74 assessed under this subsection, a person must file a form
75 provided by the department as an attachment to the application

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76 for homestead exemption, including a copy of the form required
77 to be filed under paragraph (f), if applicable. The form, which
78 must include a sworn statement attesting to the applicant's
79 entitlement to assessment under this subsection, shall be
80 considered sufficient documentation for applying for assessment
81 under this subsection. The department shall require by rule that
82 the required form be submitted with the application for
83 homestead exemption under the timeframes and processes set forth
84 in chapter 196 to the extent practicable.

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88 -----
89 **T I T L E A M E N D M E N T**

90 Remove line 17 and insert:

91 assessment roll; amending s. 193.155, F.S.; providing for
92 designation of the ownership share to be attributed to certain
93 persons who abandon a homestead property for purposes of
94 determining the assessed value of a newly established homestead
95 under certain circumstances; amending s. 193.1554, F.S.;

96 deleting
97