

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HJR 151 Homestead/Assessed Value/Elderly

SPONSOR(S): Smith

TIED BILLS: **IDEN./SIM. BILLS:** HB 41, SB 1168, SB 1204

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Government & Veterans' Affairs</u>	<u>14 Y, 0 N</u>	<u>Grayson</u>	<u>Cutchins</u>
2) <u>Judiciary</u>	<u></u>	<u></u>	<u></u>
3) <u>Finance & Tax</u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

This Joint Resolution proposes the amendment of Art. VII, s. 4, Florida Constitution, to authorize a county, in the manner prescribed by general law, to adopt an ordinance to prohibit an increase in the assessed value of homestead property, located in that county, which is owned by any person who has attained age 65 and whose household income, as defined by general law, does not exceed \$20,000, as adjusted in accordance with general law.

The joint resolution provides ballot language.

The joint resolution provides that the amendment be submitted to the electors of Florida for approval or rejection at the general election in November 2004.

A similar joint resolution was referred to the Impact Conference, during the 2003 Session, which estimated that if this limitation on assessed value were fully implemented in all counties, the fiscal impact would be -\$4.8 million in the 2006-07 fiscal year, and would grow to -\$16.8 million by the end of the 2010-11 fiscal year.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives .

STORAGE NAME h0151.lgy

DATE January 12, 2004

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|---|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

Currently, the State Constitution does not authorize counties with discretion to prohibit an increase in the assessed value of homestead property for certain elderly persons.

This joint resolution provides authority for a county, by ordinance, in the manner provided by law, to prohibit an increase in the assessed value of homestead property located in that county which is owned by any person who has attained age 65 and whose household income, as defined by general law, does not exceed \$20,000 per year, as adjusted in accordance with general law.

The joint resolution provides ballot language and provides that the amendment shall be submitted to the electors of Florida for approval or rejection at the general election in November 2004.

C. SECTION DIRECTORY:

The bill consists of a joint resolution of the Florida Legislature calling for the amendment to s. 4, Art. VII, Fla. Const.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
None.

2. Expenditures:

The Division of Elections would incur an insignificant cost to advertise the proposed constitutional amendment twice in a newspaper of general circulation in each county prior to the 2004 general election.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The Impact Conference held during the 2003 Session estimated that if this limitation on assessed value was fully implemented in all counties, the impact to local governments over the first five years would be:

Fiscal Year	Estimated Revenue Loss
2006-07	\$4.8 million
2007-08	\$8.7 million

2008-09	\$11.4 million
2009-10	\$14.5 million
2010-11	\$16.8 million

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This amendment will lower taxes for those individuals who qualify for this limitation on assessed value, and may increase taxes for those who do not qualify.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This joint resolution appears to be exempt from the mandates provisions of the constitution.

2. Other:

Constitutional Provision for Amending the Constitution

Article XI, s. 1, Fla. Const., provides the Legislature the authority to propose amendments to the constitution by joint resolution approved by three-fifths of the membership of each house. The amendment must be placed before the electorate at the next general election held after the proposal has been filed with Secretary of State's office or may be placed at a special election held for that purpose.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The language of the present resolution mirrors HB 737 (2003) as amended by the Committee on Judiciary to clarify the ballot summary.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.