

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Domino offered the following:

Amendment (with title amendment)

Remove everything after the resolving clause, and insert:

That the following amendment to Section 4 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 4. Taxation; assessments.--By general law regulations shall be prescribed which shall secure a just valuation of all property for ad valorem taxation, provided:

(a) Agricultural land, land producing high water recharge to Florida's aquifers, or land used exclusively for

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17 noncommercial recreational purposes may be classified by general
18 law and assessed solely on the basis of character or use.

19 (b) Pursuant to general law tangible personal property
20 held for sale as stock in trade and livestock may be valued for
21 taxation at a specified percentage of its value, may be
22 classified for tax purposes, or may be exempted from taxation.

23 (c) All persons entitled to a homestead exemption under
24 Section 6 of this Article shall have their homestead assessed at
25 just value as of January 1 of the year following the effective
26 date of this amendment. This assessment shall change only as
27 provided herein.

28 (1) Assessments subject to this provision shall be changed
29 annually on January 1st of each year; but those changes in
30 assessments shall not exceed the lower of the following:

31 a. Three percent (3%) of the assessment for the prior
32 year.

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

38 (2) No assessment shall exceed just value.

39 (3) After any change of ownership, as provided by general
40 law, homestead property shall be assessed at just value as of
41 January 1 of the following year, unless the provisions of
42 paragraph (8) apply. Thereafter, the homestead shall be assessed
43 as provided herein.

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

48 (5) Changes, additions, reductions, or improvements to
49 homestead property shall be assessed as provided for by general
50 law; provided, however, after the adjustment for any change,
51 addition, reduction, or improvement, the property shall be
52 assessed as provided herein.

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

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

60 (8) When a person sells his or her homestead property
61 within this state and within one year purchases another property
62 and establishes such property as homestead property, the newly
63 established homestead property shall be initially assessed at
64 less than just value, as provided by general law. The difference
65 between the new homestead property's just value and its assessed
66 value in the first year the homestead is established may not
67 exceed the difference between the previous homestead's just
68 value and its assessed value in the year of sale. In addition,
69 to be assessed as provided in this paragraph, the assessed value
70 of the new homestead must equal or exceed the assessed value of

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71 the previous homestead. Thereafter, the homestead shall be
72 assessed as provided herein.

73 (d) The legislature may, by general law, for assessment
74 purposes and subject to the provisions of this subsection, allow
75 counties and municipalities to authorize by ordinance that
76 historic property may be assessed solely on the basis of
77 character or use. Such character or use assessment shall apply
78 only to the jurisdiction adopting the ordinance. The
79 requirements for eligible properties must be specified by
80 general law.

81 (e) A county may, in the manner prescribed by general law,
82 provide for a reduction in the assessed value of homestead
83 property to the extent of any increase in the assessed value of
84 that property which results from the construction or
85 reconstruction of the property for the purpose of providing
86 living quarters for one or more natural or adoptive grandparents
87 or parents of the owner of the property or of the owner's spouse
88 if at least one of the grandparents or parents for whom the
89 living quarters are provided is 62 years of age or older. Such a
90 reduction may not exceed the lesser of the following:

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

93 (2) Twenty percent of the total assessed value of the
94 property as improved.

95 BE IT FURTHER RESOLVED that the following statement be
96 placed on the ballot:

97 CONSTITUTIONAL AMENDMENT

98 ARTICLE VII, SECTION 4

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99 HOMESTEAD PROPERTY ASSESSMENTS.--Proposing an amendment to
100 the State Constitution to provide for assessing at less than
101 just value property purchased within one year after a sale of
102 homestead property and established as new homestead property,
103 limited by the difference between the new homestead property's
104 just value and its assessed value in the first year the
105 homestead is established not exceeding the difference between
106 the previous homestead's just value and its assessed value in
107 the year of sale and the new homestead property's assessed value
108 equaling or exceeding the old homestead property's assessed
109 value.

110

111 ===== T I T L E A M E N D M E N T =====

112 Remove the entire title, and insert:

113 Senate Joint Resolution

114 A joint resolution proposing an amendment to Section 4 of
115 Article VII of the State Constitution to provide an
116 additional circumstance for assessing homestead property
117 at less than just value.