

House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new section in Article XII of the State Constitution to allow counties to reduce the assessed value of a homestead property for the portions of such property used as living quarters for the property owner's parent or grandparent who is 62 years of age or older and to remove current provisions limiting the exemption to increases in assessments resulting from construction or reconstruction of such living quarters and limiting the amount of such exemption.

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

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

26 valuation of all property for ad valorem taxation, provided:

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

31 (b) As provided by general law and subject to conditions,
 32 limitations, and reasonable definitions specified therein, land
 33 used for conservation purposes shall be classified by general
 34 law and assessed solely on the basis of character or use.

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

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

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

47 a. Three percent (3%) of the assessment for the prior
 48 year.

49 b. The percent change in the Consumer Price Index for all
 50 urban consumers, U.S. City Average, all items 1967=100, or

51 successor reports for the preceding calendar year as initially
52 reported by the United States Department of Labor, Bureau of
53 Labor Statistics.

54 (2) No assessment shall exceed just value.

55 (3) After any change of ownership, as provided by general
56 law, homestead property shall be assessed at just value as of
57 January 1 of the following year, unless the provisions of
58 paragraph (8) apply. Thereafter, the homestead shall be assessed
59 as provided in this subsection.

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

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

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

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

76 (8)a. A person who establishes a new homestead as of
 77 January 1 and who has received a homestead exemption pursuant to
 78 Section 6 of this Article as of January 1 of any of the three
 79 years immediately preceding the establishment of the new
 80 homestead is entitled to have the new homestead assessed at less
 81 than just value. The assessed value of the newly established
 82 homestead shall be determined as follows:

83 1. If the just value of the new homestead is greater than
 84 or equal to the just value of the prior homestead as of January
 85 1 of the year in which the prior homestead was abandoned, the
 86 assessed value of the new homestead shall be the just value of
 87 the new homestead minus an amount equal to the lesser of
 88 \$500,000 or the difference between the just value and the
 89 assessed value of the prior homestead as of January 1 of the
 90 year in which the prior homestead was abandoned. Thereafter, the
 91 homestead shall be assessed as provided in this subsection.

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

98 However, if the difference between the just value of the new
 99 homestead and the assessed value of the new homestead calculated
 100 pursuant to this sub-subparagraph is greater than \$500,000, the

101 assessed value of the new homestead shall be increased so that
 102 the difference between the just value and the assessed value
 103 equals \$500,000. Thereafter, the homestead shall be assessed as
 104 provided in this subsection.

105 b. By general law and subject to conditions specified
 106 therein, the legislature shall provide for application of this
 107 paragraph to property owned by more than one person.

108 (e) The legislature may, by general law, for assessment
 109 purposes and subject to the provisions of this subsection, allow
 110 counties and municipalities to authorize by ordinance that
 111 historic property may be assessed solely on the basis of
 112 character or use. Such character or use assessment shall apply
 113 only to the jurisdiction adopting the ordinance. The
 114 requirements for eligible properties must be specified by
 115 general law.

116 (f) A county may, in the manner prescribed by general law,
 117 provide for a reduction in the assessed value of homestead
 118 property to the extent of any ~~increase in the assessed value of~~
 119 that property used ~~which results from the construction or~~
 120 ~~reconstruction of the property~~ for the purpose of providing
 121 living quarters for one or more natural or adoptive grandparents
 122 or parents of the owner of the property or of the owner's spouse
 123 if at least one of the grandparents or parents for whom the
 124 living quarters are provided is 62 years of age or older. ~~Such a~~
 125 ~~reduction may not exceed the lesser of the following:~~

126 ~~(1) The increase in assessed value resulting from~~
 127 ~~construction or reconstruction of the property.~~

128 ~~(2) Twenty percent of the total assessed value of the~~
 129 ~~property as improved.~~

130 (g) For all levies other than school district levies,
 131 assessments of residential real property, as defined by general
 132 law, which contains nine units or fewer and which is not subject
 133 to the assessment limitations set forth in subsections (a)
 134 through (d) shall change only as provided in this subsection.

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

139 (2) No assessment shall exceed just value.

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

145 (4) Changes, additions, reductions, or improvements to
 146 such property shall be assessed as provided for by general law;
 147 however, after the adjustment for any change, addition,
 148 reduction, or improvement, the property shall be assessed as
 149 provided in this subsection.

150 (h) For all levies other than school district levies,

151 assessments of real property that is not subject to the
 152 assessment limitations set forth in subsections (a) through (d)
 153 and (g) shall change only as provided in this subsection.

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

158 (2) No assessment shall exceed just value.

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

164 (4) The legislature may provide that such property shall
 165 be assessed at just value as of the next assessment date after a
 166 change of ownership or control, as defined by general law,
 167 including any change of ownership of the legal entity that owns
 168 the property. Thereafter, such property shall be assessed as
 169 provided in this subsection.

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

175 (i) The legislature, by general law and subject to

176 conditions specified therein, may prohibit the consideration of
 177 the following in the determination of the assessed value of real
 178 property:

179 (1) Any change or improvement to real property used for
 180 residential purposes made to improve the property's resistance
 181 to wind damage.

182 (2) The installation of a solar or renewable energy source
 183 device.

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

186 a. Land used predominantly for commercial fishing
 187 purposes.

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

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

191 d. Water-dependent marine manufacturing facilities,
 192 commercial fishing facilities, and marine vessel construction
 193 and repair facilities and their support activities.

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

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ARTICLE XII

SCHEDULE

HJR 1511

2024

200 Reduction of assessed value.—This section and the amendment
 201 to Section 4 of Article VII to allow counties to provide a
 202 reduction in the assessed value of homestead property for the
 203 portions of such property used as living quarters for specified
 204 persons shall take effect January 1, 2025.

205
 206 BE IT FURTHER RESOLVED that the following statement be
 207 placed on the ballot:

208 CONSTITUTIONAL AMENDMENT

209 ARTICLE VII, SECTION 4

210 ARTICLE XII

211 PORTIONS OF HOMESTEAD PROPERTY USED AS LIVING QUARTERS FOR
 212 PARENTS AND GRANDPARENTS.—Proposing an amendment to the State
 213 Constitution expanding an existing reduction allowing counties
 214 to reduce assessed value increases of homestead property
 215 resulting from construction or reconstruction of living quarters
 216 for the property owner's parent or grandparent who is 62 years
 217 of age or older to include a reduction for portions of existing
 218 property used for such purpose and eliminating a cap on such
 219 reduction. If approved, this amendment shall take effect January
 220 1, 2025.

221
 222 BE IT FURTHER RESOLVED that the following statement be
 223 placed on the ballot if a court declares the preceding statement
 224 defective and the decision of the court is not reversed:

