

By Senator Hooper

21-00260C-24

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1 A bill to be entitled
2 An act relating to disclosure of estimated ad valorem
3 taxes; amending s. 689.261, F.S.; defining the term
4 "listing platform"; requiring that certain listings to
5 include estimated ad valorem taxes; prohibiting the
6 current owner's ad valorem taxes from being displayed
7 or used for certain purposes; providing requirements
8 for listing platforms, the Department of Revenue, and
9 property appraisers; providing construction;
10 prohibiting certain materials from including specified
11 information; requiring, beginning on a specified date,
12 the department to annually publish a formula and
13 certain information on its website; authorizing the
14 department to adopt rules; providing an effective
15 date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsection (3) is added to section 689.261,
20 Florida Statutes, to read:

21 689.261 Sale of residential property; disclosure of ad
22 valorem taxes to prospective purchaser.—

23 (3) (a) As used in this subsection, the term "listing
24 platform" means any public-facing online real property listing
25 platform, including, but not limited to, websites, web
26 applications, and mobile applications.

27 (b) Any residential property visible on a listing platform
28 must include the estimated ad valorem taxes for such property.

29 1. The current owner's ad valorem taxes may not be

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30 displayed or used to calculate the estimated ad valorem taxes.

31 2. If the ad valorem taxes are estimated using a tax
32 estimator or buyer payment calculator, the listing platform must
33 calculate and display the ad valorem taxes that would be due,
34 both with and without the homestead tax exemption, if the
35 purchaser were taxed on the listing price of the property at
36 current millage rates using the data and formula published under
37 paragraph (d). The use of such data and formula constitutes a
38 reasonable estimate of ad valorem taxes. The listing platform
39 must include a disclaimer next to the estimated ad valorem taxes
40 that the millage rates of applicable taxing authorities may vary
41 within a county and that the estimated ad valorem taxes do not
42 include all applicable non-ad valorem assessments or exemptions,
43 discounts, and other tax benefits, including, but not limited
44 to, transfer of the homestead assessment difference under s. 4,
45 Art. VII of the State Constitution.

46 3. If ad valorem taxes are not estimated using a tax
47 estimator or buyer payment calculator as provided in
48 subparagraph 2., the listing platform shall include a link to
49 the property appraiser's tax estimator for the county in which
50 the property is located, if available, or to such property
51 appraiser's home page. The Department of Revenue must maintain a
52 table of links to each property appraiser's home page and tax
53 estimator, if available, on its website. Each property appraiser
54 is responsible for providing the department the link to its tax
55 estimator.

56 (c) Printed listing materials produced by real estate sales
57 agents may comply with these requirements by not displaying a
58 seller's ad valorem taxes.

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59 (d) The department shall annually develop a formula that
60 may be used by a listing platform to calculate the estimated ad
61 valorem taxes required under this subsection. The department
62 shall require each property appraiser to provide the department
63 with any information needed to develop the formula, including,
64 at a minimum, the county name, tax district code, summary school
65 millage rate, and summary millage rate for all other applicable
66 taxing authorities. Beginning December 15, 2024, and annually
67 thereafter, the department shall publish the formula and the
68 information collected from each property appraiser under this
69 paragraph on its website.

70 (e) The department may adopt rules to implement paragraph
71 (d).

72 Section 2. This act shall take effect July 1, 2024.