

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 authorize the Legislature, by general law, to prohibit the consideration of any change or improvement made to homestead property to mitigate flood damage in determining the assessed value of such property for ad valorem taxation purposes and to provide an effective date.

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

That the following amendment to Section 4 of Article VII and the creation of a new section of Article XII of the State Constitution are 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:

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

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

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

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

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

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

48 b. The percent change in the Consumer Price Index for all  
49 urban consumers, U.S. City Average, all items 1967=100, or  
50 successor reports for the preceding calendar year as initially

51 reported by the United States Department of Labor, Bureau of  
52 Labor Statistics.

53 (2) No assessment shall exceed just value.

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

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

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

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

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

75 (8)a. A person who establishes a new homestead as of

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

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

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

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

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

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

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

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

125 (1) The increase in assessed value resulting from

126 construction or reconstruction of the property.

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

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

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

138 (2) No assessment shall exceed just value.

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

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

149 (h) For all levies other than school district levies,  
150 assessments of real property that is not subject to the

151 assessment limitations set forth in subsections (a) through (d)  
 152 and (g) shall change only as provided in this subsection.

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

157 (2) No assessment shall exceed just value.

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

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

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

174 (i) The legislature, by general law and subject to  
 175 conditions specified therein, may prohibit the consideration of

176 | the following in the determination of the assessed value of real  
 177 | property:

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

181 |       (2) Any change or improvement made to real property  
 182 | assessed pursuant to subsection (d) to mitigate the property's  
 183 | susceptibility to flood damage.

184 |       (3) The installation of a solar or renewable energy source  
 185 | device.

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

188 |           a. Land used predominantly for commercial fishing  
 189 | purposes.

190 |           b. Land that is accessible to the public and used for  
 191 | vessel launches into waters that are navigable.

192 |           c. Marinas and drystacks that are open to the public.

193 |           d. Water-dependent marine manufacturing facilities,  
 194 | commercial fishing facilities, and marine vessel construction  
 195 | and repair facilities and their support activities.

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

199 |                                   ARTICLE XII

200 |                                   SCHEDULE

201        Limitation on the assessment of homestead property.—This  
 202 section and the amendment to Section 4 of Article VII,  
 203 authorizing the legislature to prohibit the consideration of any  
 204 change or improvement made to homestead property to mitigate  
 205 flood damage in the determination of the property's assessed  
 206 value for ad valorem taxation purposes, shall take effect  
 207 January 1, 2027.

208            BE IT FURTHER RESOLVED that the following statement be  
 209 placed on the ballot:

210                            CONSTITUTIONAL AMENDMENT

211                            ARTICLE VII, SECTION 4

212                            ARTICLE XII

213            LIMITATION ON THE ASSESSMENT OF HOMESTEAD PROPERTY.—  
 214 Proposing an amendment to the State Constitution to authorize  
 215 the Legislature, by general law, to prohibit the consideration  
 216 of any change or improvement made to homestead property to  
 217 mitigate flood damage in the determination of the property's  
 218 assessed value for ad valorem taxation purposes. This amendment  
 219 takes effect January 1, 2027.