



102912

LEGISLATIVE ACTION

Senate

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House

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Senator Sharief moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the resolving clause  
and insert:

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



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

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

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

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

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

- a. Three percent (3%) of the assessment for the prior year.
- b. The percent change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of



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41 Labor Statistics.

42 (2) No assessment shall exceed just value.

43 (3) After any change of ownership, as provided by general  
44 law, homestead property shall be assessed at just value as of  
45 January 1 of the following year, unless the provisions of  
46 paragraph (8) apply. Thereafter, the homestead shall be assessed  
47 as provided in this subsection.

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

52 (5) Changes, additions, reductions, or improvements to  
53 homestead property shall be assessed as provided for by general  
54 law; provided, however, after the adjustment for any change,  
55 addition, reduction, or improvement, the property shall be  
56 assessed as provided in this subsection.

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

59 (7) The provisions of this amendment are severable. If any  
60 of the provisions of this amendment shall be held  
61 unconstitutional by any court of competent jurisdiction, the  
62 decision of such court shall not affect or impair any remaining  
63 provisions of this amendment.

64 (8)a. A person who establishes a new homestead as of  
65 January 1 and who has received a homestead exemption pursuant to  
66 Section 6 of this Article as of January 1 of any of the three  
67 years immediately preceding the establishment of the new  
68 homestead is entitled to have the new homestead assessed at less  
69 than just value. The assessed value of the newly established



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70 homestead shall be determined as follows:

71 1. If the just value of the new homestead is greater than  
72 or equal to the just value of the prior homestead as of January  
73 1 of the year in which the prior homestead was abandoned, the  
74 assessed value of the new homestead shall be the just value of  
75 the new homestead minus an amount equal to the lesser of  
76 \$500,000 or the difference between the just value and the  
77 assessed value of the prior homestead as of January 1 of the  
78 year in which the prior homestead was abandoned. Thereafter, the  
79 homestead shall be assessed as provided in this subsection.

80 2. If the just value of the new homestead is less than the  
81 just value of the prior homestead as of January 1 of the year in  
82 which the prior homestead was abandoned, the assessed value of  
83 the new homestead shall be equal to the just value of the new  
84 homestead divided by the just value of the prior homestead and  
85 multiplied by the assessed value of the prior homestead.  
86 However, if the difference between the just value of the new  
87 homestead and the assessed value of the new homestead calculated  
88 pursuant to this sub-subparagraph is greater than \$500,000, the  
89 assessed value of the new homestead shall be increased so that  
90 the difference between the just value and the assessed value  
91 equals \$500,000. Thereafter, the homestead shall be assessed as  
92 provided in this subsection.

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

96 (e) The legislature may, by general law, for assessment  
97 purposes and subject to the provisions of this subsection, allow  
98 counties and municipalities to authorize by ordinance that



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99 historic property may be assessed solely on the basis of  
100 character or use. Such character or use assessment shall apply  
101 only to the jurisdiction adopting the ordinance. The  
102 requirements for eligible properties must be specified by  
103 general law.

104 (f) A county may, in the manner prescribed by general law,  
105 provide for a reduction in the assessed value of homestead  
106 property to the extent of any increase in the assessed value of  
107 that property which results from the construction or  
108 reconstruction of the property for the purpose of providing  
109 living quarters for one or more natural or adoptive grandparents  
110 or parents of the owner of the property or of the owner's spouse  
111 if at least one of the grandparents or parents for whom the  
112 living quarters are provided is 62 years of age or older. Such a  
113 reduction may not exceed the lesser of the following:

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

116 (2) Twenty percent of the total assessed value of the  
117 property as improved.

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

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

127 (2) No assessment shall exceed just value.



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

133           (4) Changes, additions, reductions, or improvements to such  
134 property shall be assessed as provided for by general law;  
135 however, after the adjustment for any change, addition,  
136 reduction, or improvement, the property shall be assessed as  
137 provided in this subsection.

138           (5) The legislature must provide for equitable relief from  
139 assessments for property owners earning less than one hundred  
140 and fifty thousand dollars, as follows:

141           a. If an owner of residential real property has a household  
142 income of sixty thousand dollars or less, the assessment may not  
143 exceed four percent (4%) of the owner's household income.

144           b. If an owner of residential real property has a household  
145 income between sixty thousand dollars and one hundred thousand  
146 dollars, the assessment may not exceed five percent (5%) of the  
147 owner's household income.

148           c. If an owner of residential real property has a household  
149 income between one hundred thousand dollars and one hundred and  
150 fifty thousand dollars, the assessment may not exceed six  
151 percent (6%) of the owner's household income.

152           (h) For all levies other than school district levies,  
153 assessments of real property that is not subject to the  
154 assessment limitations set forth in subsections (a) through (d)  
155 and (g) shall change only as provided in this subsection.

156           (1) Assessments subject to this subsection shall be changed



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157 annually on the date of assessment provided by law; but those  
158 changes in assessments shall not exceed ten percent (10%) of the  
159 assessment for the prior year.

160 (2) No assessment shall exceed just value.

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

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

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

177 (i) The legislature, by general law and subject to  
178 conditions specified therein, may prohibit the consideration of  
179 the following in the determination of the assessed value of real  
180 property:

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

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



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- 186 (j)  
187 (1) The assessment of the following working waterfront  
188 properties shall be based upon the current use of the property:  
189 a. Land used predominantly for commercial fishing 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 residential real property.-

202 This section and the amendment to Section 4 of Article VII,  
203 relating to a prohibition on tax assessments on residential real  
204 property, shall take effect January 1, 2027.

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

207 CONSTITUTIONAL AMENDMENT

208 ARTICLE VII, SECTION 4

209 ARTICLE XII

210 SAVE OUR HOMES FROM EXCESSIVE PROPERTY TAXES.-Proposing an  
211 amendment to the State Constitution which prohibits tax  
212 assessments on residential real properties from exceeding a  
213 certain percentage of a property owner's household income. If  
214 approved, the amendment takes effect on January 1, 2027.



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

217 And the title is amended as follows:

218       Delete everything before the resolving clause  
219 and insert:

220                               A bill to be entitled  
221       A joint resolution proposing an amendment to Section 4  
222       of Article VII and the creation of a new section in  
223       Article XII of the State Constitution to direct the  
224       Legislature to provide for equitable relief from  
225       assessments for specified owners of real property and  
226       to provide an effective date.