

By the Committee on General Provisions and Commissioner Mills

A proposal to revise

1 ARTICLE X, s. 4, Fla. Const.; providing a value
2 limitation on the homestead exemption;
3 authorizing the legislature to change the
4 amount of the value limitation; providing that
5 the homestead exemption does not apply to
6 certain property.

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8 It is proposed by the Florida Constitution Revision Commission
9 that:

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11 Section 1. Section 4 of Article X of the Florida
12 Constitution is revised by amending that section to read:

13 ARTICLE X
14 MISCELLANEOUS

15 SECTION 4. Homestead; exemptions.--

16 (a) There shall be exempt from forced sale under
17 process of any court, and no judgment, decree or execution
18 shall be a lien thereon, except for the payment of taxes and
19 assessments thereon, obligations contracted for the purchase,
20 improvement or repair thereof, or obligations contracted for
21 house, field or other labor performed on the realty, the
22 following property owned by a natural person:

23 (1) a homestead to the extent of two hundred thousand
24 dollars in value, and if located outside a municipality, to
25 the extent of one hundred sixty acres of contiguous land and
26 improvements thereon, which shall not be reduced without the
27 owner's consent by reason of subsequent inclusion in a
28 municipality; or if located within a municipality, to the
29 extent of one-half acre of contiguous land, upon which the
30 exemption shall be limited to the residence of the owner or
31 his family;

(2) personal property to the value of one thousand dollars.

3 (b) These exemptions shall inure to the surviving
4 spouse or heirs of the owner.

14 (d) The legislature may by general law change the
15 value limitation of the homestead exemption granted in
16 paragraph (a)(1) based on changes in the median just value of
17 Florida homestead properties. For purposes of this section,
18 the value of homestead property is the just value as reflected
19 in the records of the county property appraiser.

20 (e) The homestead exemption in this section does not
21 apply to any property to the extent that it is acquired or
22 improved or its equity value increased with the intent to
23 hinder, delay, or defraud creditors. The legislature may by
24 general law implement this subsection.

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