

HJR 421

2008

House Joint Resolution

A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 28 of Article XII of the State Constitution to provide for an additional homestead exemption, and to provide an effective date if such amendments are adopted.

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

That the following amendment to Section 6 of Article VII and the creation of Section 28 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:

ARTICLE VII

FINANCE AND TAXATION

SECTION 6 Homestead exemptions.--

(a) (1) Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon, except assessments for special benefits, up to the assessed valuation of twenty-five thousand dollars plus an amount equal to the greater of:

a. Forty percent (40%) of the just valuation of such property greater than seventy-five thousand dollars up to five hundred thousand dollars of just valuation; or

b. The accumulated benefit provided under subsection (c) of Section 4 of this Article.

HJR 421

2008

29 And, for all levies other than school district levies on the
30 assessed valuation greater than fifty thousand dollars and up to
31 seventy-five thousand dollars, upon establishment of right
32 thereto in the manner prescribed by law.

33 (2) The real estate may be held by legal or equitable
34 title, by the entireties, jointly, in common, as a condominium,
35 or indirectly by stock ownership or membership representing the
36 owner's or member's proprietary interest in a corporation owning
37 a fee or a leasehold initially in excess of ninety-eight years.
38 The exemption shall not apply with respect to any assessment
39 roll until such roll is first determined to be in compliance
40 with the provisions of Section 4 of this Article by a state
41 agency designated by general law. This exemption is repealed on
42 the effective date of any amendment to Section 4 of this Article
43 that provides for the assessment of homestead property at less
44 than just value.

45 (b) Not more than one exemption shall be allowed any
46 individual or family unit or with respect to any residential
47 unit. No exemption shall exceed the value of the real estate
48 assessable to the owner or, in case of ownership through stock
49 or membership in a corporation, the value of the proportion
50 which the interest in the corporation bears to the assessed
51 value of the property.

52 (c)(e) By general law and subject to conditions specified
53 therein, the Legislature may provide to renters, who are
54 permanent residents, ad valorem tax relief on all ad valorem tax
55 levies. Such ad valorem tax relief shall be in the form and
56 amount established by general law.

HJR 421

2008

57 (d)~~(f)~~ The legislature may, by general law, allow counties
58 or municipalities, for the purpose of their respective tax
59 levies and subject to the provisions of general law, to grant an
60 additional homestead tax exemption not exceeding fifty thousand
61 dollars to any person who has the legal or equitable title to
62 real estate and maintains thereon the permanent residence of the
63 owner and who has attained age sixty-five and whose household
64 income, as defined by general law, does not exceed twenty
65 thousand dollars. The general law must allow counties and
66 municipalities to grant this additional exemption, within the
67 limits prescribed in this subsection, by ordinance adopted in
68 the manner prescribed by general law, and must provide for the
69 periodic adjustment of the income limitation prescribed in this
70 subsection for changes in the cost of living.

71 (e)~~(g)~~ Each veteran who is age 65 or older who is
72 partially or totally permanently disabled shall receive a
73 discount from the amount of the ad valorem tax otherwise owed on
74 homestead property the veteran owns and resides in if the
75 disability was combat related, the veteran was a resident of
76 this state at the time of entering the military service of the
77 United States, and the veteran was honorably discharged upon
78 separation from military service. The discount shall be in a
79 percentage equal to the percentage of the veteran's permanent,
80 service-connected disability as determined by the United States
81 Department of Veterans Affairs. To qualify for the discount
82 granted by this subsection, an applicant must submit to the
83 county property appraiser, by March 1, proof of residency at the
84 time of entering military service, an official letter from the

Page 3 of 5

HJR 421.amendment

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hjr0421-00

HJR 421

2008

85 United States Department of Veterans Affairs stating the
86 percentage of the veteran's service-connected disability and
87 such evidence that reasonably identifies the disability as
88 combat related, and a copy of the veteran's honorable discharge.
89 If the property appraiser denies the request for a discount, the
90 appraiser must notify the applicant in writing of the reasons
91 for the denial, and the veteran may reapply. The Legislature
92 may, by general law, waive the annual application requirement in
93 subsequent years. This subsection shall take effect December 7,
94 2006, is self-executing, and does not require implementing
95 legislation.

ARTICLE XII

SCHEDULE

98 SECTION 28. Property tax exemptions and ad valorem tax
99 limitations.--The amendment to Section 6 of Article VII,
100 providing an additional homestead exemption equal to the greater
101 of forty percent of the homestead's just valuation from seventy-
102 five thousand dollars up to five hundred thousand dollars or the
103 accumulated benefit from the limitation on annual increases in
104 assessments of homestead property and this section, if submitted
105 to the electors of this state for approval or rejection at the
106 next general election, shall take effect January 1 of the year
107 following such general election.

108 BE IT FURTHER RESOLVED that the following statement be
109 placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 6

ARTICLE XII, SECTION 28

HJR 421

2008

113 IN HOMESTEAD PROPERTY ASSESSMENTS; ADDITIONAL HOMESTEAD
 114 EXEMPTION.--Proposing amendments to the State Constitution to:
 115 Provide for an additional homestead exemption equal to the
 116 greater of 40 percent of the just value of the homestead
 117 property from \$75,000 up to \$500,000 or the accumulated benefit
 118 provided under Save Our Homes.
 119
 120
 121
 122 s:\council shared\2008\bills\hb 421\hjr 421.amendment.xml