

1 Resolution of the Taxation and Budget Reform Commission  
2 A resolution proposing an amendment to Section 3 of  
3 Article VII and the creation of a new section in Article  
4 XII of the State Constitution to require the Legislature  
5 to provide by law for an ad valorem tax exemption for real  
6 property dedicated in perpetuity for conservation  
7 purposes.

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9 Be It Resolved by the Taxation and Budget Reform Commission:  
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11 That the following amendment to Section 3 of Article VII  
12 and the creation of a new section in Article XII of the State  
13 Constitution are agreed to and shall be submitted to the  
14 electors of this state for approval or rejection at the next  
15 general election or at an earlier special election specifically  
16 authorized by law for that purpose:

17 ARTICLE VII

18 FINANCE AND TAXATION

19 SECTION 3. Taxes; exemptions.--

20 (a) All property owned by a municipality and used  
21 exclusively by it for municipal or public purposes shall be  
22 exempt from taxation. A municipality, owning property outside  
23 the municipality, may be required by general law to make payment  
24 to the taxing unit in which the property is located. Such  
25 portions of property as are used predominantly for educational,  
26 literary, scientific, religious or charitable purposes may be  
27 exempted by general law from taxation.

28 (b) There shall be exempt from taxation, cumulatively, to  
29 every head of a family residing in this state, household goods

30 and personal effects to the value fixed by general law, not less  
31 than one thousand dollars, and to every widow or widower or  
32 person who is blind or totally and permanently disabled,  
33 property to the value fixed by general law not less than five  
34 hundred dollars.

35 (c) Any county or municipality may, for the purpose of its  
36 respective tax levy and subject to the provisions of this  
37 subsection and general law, grant community and economic  
38 development ad valorem tax exemptions to new businesses and  
39 expansions of existing businesses, as defined by general law.  
40 Such an exemption may be granted only by ordinance of the county  
41 or municipality, and only after the electors of the county or  
42 municipality voting on such question in a referendum authorize  
43 the county or municipality to adopt such ordinances. An  
44 exemption so granted shall apply to improvements to real  
45 property made by or for the use of a new business and  
46 improvements to real property related to the expansion of an  
47 existing business and shall also apply to tangible personal  
48 property of such new business and tangible personal property  
49 related to the expansion of an existing business. The amount or  
50 limits of the amount of such exemption shall be specified by  
51 general law. The period of time for which such exemption may be  
52 granted to a new business or expansion of an existing business  
53 shall be determined by general law. The authority to grant such  
54 exemption shall expire ten years from the date of approval by  
55 the electors of the county or municipality, and may be renewable  
56 by referendum as provided by general law.

57 (d) By general law and subject to conditions specified  
58 therein, there may be granted an ad valorem tax exemption to a

renewable energy source device and to real property on which such device is installed and operated, to the value fixed by general law not to exceed the original cost of the device, and for the period of time fixed by general law not to exceed ten years.

(e) Any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of this subsection and general law, grant historic preservation ad valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. The period of time for which this exemption may be granted to a property owner shall be determined by general law.

(f) By general law and subject to conditions specified therein, twenty-five thousand dollars of the assessed value of property subject to tangible personal property tax shall be exempt from ad valorem taxation.

(g) There shall be granted an ad valorem tax exemption for real property dedicated in perpetuity for conservation purposes, including real property encumbered by perpetual conservation easements or by other perpetual conservation protections, as defined by general law.

## ARTICLE XII

### SCHEDULE

Property tax exemption for conservation purposes.--The amendment to Section 3 of Article VII requiring the creation of an ad valorem tax exemption for real property dedicated in

88 perpetuity for conservation purposes, and this section, shall  
89 take effect upon approval by the electors and shall be  
90 implemented by January 1, 2010.

91 BE IT FURTHER RESOLVED that the following statement be  
92 placed on the ballot:

93 CONSTITUTIONAL AMENDMENT

94 ARTICLE VII, SECTION 3

95 ARTICLE XII, NEW SECTION

96 PROPERTY TAX EXEMPTION OF LAND DEDICATED IN PERPETUITY FOR  
97 CONSERVATION PURPOSES.--Requires the Legislature to provide an  
98 ad valorem tax exemption for real property dedicated in  
99 perpetuity for conservation purposes, including real property  
100 encumbered by perpetual conservation easements or other  
101 perpetual conservation protections, as defined by general law.