

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.

8
9 Be It Resolved by the Taxation and Budget Reform Commission:
10

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
59 renewable energy source device and to real property on which
60 such device is installed and operated, to the value fixed by

61 general law not to exceed the original cost of the device, and
62 for the period of time fixed by general law not to exceed ten
63 years.

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

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

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

83 ARTICLE XII

84 SCHEDULE

85 The amendment to Section 3 of Article VII, requiring the
86 creation of an ad valorem tax exemption for real property
87 dedicated in perpetuity for conservation purposes, and this
88 section, shall take effect upon approval by the electors and
89 shall be 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 AD VALOREM TAXATION 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.