

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

16 ARTICLE VII

17 FINANCE AND TAXATION

18 SECTION 3. Taxes; exemptions.—

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

27 (b) There shall be exempt from taxation, cumulatively, to
28 every head of a family residing in this state, household goods
29 and personal effects to the value fixed by general law, not less
30 than one thousand dollars, and to every widow or widower or

31 person who is blind or totally and permanently disabled,
32 property to the value fixed by general law not less than five
33 hundred dollars.

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

56 (d) By general law and subject to conditions specified
57 therein, there may be granted an ad valorem tax exemption to a
58 renewable energy source device and to real property on which
59 such device is installed and operated, to the value fixed by
60 general law not to exceed the original cost of the device, and

61 for the period of time fixed by general law not to exceed ten
62 years.

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

73 (f) By general law, there shall be granted an ad valorem
74 tax exemption for real property used for conservation purposes
75 in perpetuity, including real property encumbered by perpetual
76 conservation easements and other perpetual conservation
77 protections as defined by general law.

78 ARTICLE XII

79 SCHEDULE

80 The amendment to Article VII, Section 3, requiring the
81 creation of an ad valorem tax exemption for real property used
82 for conservation purposes in perpetuity, and this section, shall
83 take effect upon approval by the electors and shall be
84 implemented by January 1, 2010.

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

92 CONSTITUTIONAL AMENDMENT

93 ARTICLE VII, SECTION 3;

94 ARTICLE XII

95 AD VALOREM TAXATION OF LAND USED FOR CONSERVATION
96 PURPOSES.--This proposed amendment to the State Constitution
97 requires the Legislature to provide an ad valorem tax exemption
98 for real property used for conservation purposes in perpetuity,
99 including real property encumbered by perpetual conservation
100 easements and other perpetual conservation protections as
101 defined general by law.