

CHAPTER 2016-121

Committee Substitute for House Bill No. 277

An act relating to a county and municipality homestead tax exemption; amending s. 196.075, F.S.; revising the homestead tax exemption that may be adopted by a county or municipality by ordinance for the assessed value of property with a just value less than \$250,000 which is owned by persons age 65 or older who meet certain residence and income requirements; specifying that just value shall be determined in the first tax year that the owner applies and is eligible for the exemption; providing for a refund of overpaid taxes in prior years; providing retroactive applicability; providing a contingent effective date.

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

Section 1. Subsection (2) of section 196.075, Florida Statutes, is amended to read:

196.075 Additional homestead exemption for persons 65 and older.—

(2) In accordance with s. 6(d), Art. VII of the State Constitution, the board of county commissioners of any county or the governing authority of any municipality may adopt an ordinance to allow either or both of the following additional homestead exemptions:

(a) Up to \$50,000 for a any person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, who has attained age 65, and whose household income does not exceed \$20,000; ~~or~~

(b) The amount of the assessed value of the property for a any person who has the legal or equitable title to real estate with a just value less than \$250,000, as determined in the first tax year that the owner applies and is eligible for the exemption, and who has maintained thereon the permanent residence of the owner for at least 25 years, who has attained age 65, and whose household income does not exceed the income limitation prescribed in paragraph (a), as calculated in subsection (3).

Section 2. For purposes of s. 196.075(2)(b), Florida Statutes, as amended by this act, the just value determination for a person who received the exemption under s. 196.075(2)(b), Florida Statutes, before the effective date of this act shall be the just value as determined in the first tax year that the owner applied and was eligible for the exemption before the effective date of this act. Such person may reapply for the exemption in subsequent years, regardless of the current just value of his or her homestead property.

Section 3. For purposes of s. 196.075(2)(b), Florida Statutes, as amended by this act, a person who received the exemption under s. 196.075(2)(b), Florida Statutes, before the effective date of this act may apply to the tax

collector for a refund, pursuant to s. 197.182, Florida Statutes, for any prior year in which the exemption was denied solely because the just value of the homestead property was greater than \$250,000. The refund for any year shall be equal to the difference between the previous tax liability for that year without the exemption and the tax liability with the exemption.

Section 4. This act shall take effect on the same date that CS/HJR 275 or a similar joint resolution having substantially the same specific intent and purpose takes effect, if such joint resolution is approved by the electors at the general election to be held in November 2016, and shall apply retroactively to the 2013 tax roll for any person who received the exemption under s. 196.075(2)(b) before the effective date of this act.

Approved by the Governor March 25, 2016.

Filed in Office Secretary of State March 25, 2016.