

# Florida's amendment 5 and 6 to be voted on in this year's November ballot.

Gulf County Property Appraiser Mitch Burke urges voters to make sure they are aware of amendments 5 and 6 to the State's Constitution on this year's November ballot.

## What would Amendment 5 change?

This amendment would extend the period during which a person may transfer their "Save Our Homes" benefits to a new homestead property from two years to three years.

Currently, if a person moves to a new home, they have two years to transfer their "Save Our Homes" benefit to have the new home assessed "at less than just value." The amendment would increase that time period to three years rather than two.

The Save Our Homes Amendment to the Florida Constitution limits the annual increase to a homestead property's assessed value to no more than a maximum of 3% per year or the percentage change in the Consumer Price Index (CPI), regardless of any increases to the property's market value, also known as the just value. The assessed value of a residential property is the just value minus any limitations under the Save Our Homes amendment. Portability allows property owners to transfer all or a portion of the difference between the just value and the assessed value from a previous homesteaded property to a new homesteaded property. This reduces the assessed value of the new homestead, which in turn reduces the amount of property taxes owed by the property owner. **The difference between the just value and the assessed value is referred to as the *Save Our Homes (SOH) benefit*.**

Right now, property owners have two tax years to transfer or "port" all or part of their homestead assessment difference to a new homestead anywhere in Florida. Amendment 5 would extend the time frame from two tax years to three tax years.

Under current law, to qualify for portability a homeowner must have "received a homestead exemption as of January 1 of either of the two immediately preceding years." The intention of the two-year limit was to allow homeowners a full two years to apply for portability. Unfortunately, it doesn't work that way in practice because a tax year starts on January 1, meaning a property owner may have less than two calendar years to use this important benefit — ***Amendment 5 will fix this.***

## **What would Amendment 6 change?**

This amendment would allow a homestead property tax discount to be transferred to the surviving spouse of a deceased veteran who had permanent, combat-related disabilities. The discount would be in effect until the spouse remarries, sells, or otherwise disposes of the property. If the spouse sells the property and does not remarry, the spouse's new primary residence may receive a homestead tax discount not exceeding the dollar amount from the most recent ad valorem tax roll. The amendment would take effect January 1, 2021.

Currently, the homestead property tax discount for veterans expires upon their death and is not extended to their spouses. Amendment 6 would fix that.

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