

STATE OF FLORIDA
DEPARTMENT OF REVENUE
PROPERTY TAX OVERSIGHT PROGRAM
EMERGENCY RULE 12DER09-02

12DER09-02 Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue For Local Fiscal Year 2009-2010.

(1) This rule applies to counties that meet the fiscally constrained definition in Section 218.67(1), Florida Statutes. Pursuant to Section 218.12, Florida Statutes, such counties are required to apply for a distribution of funds appropriated by the Legislature for the purpose of offsetting reductions in property tax revenues occurring as a direct result of the implementation of revisions to Article VII, Florida Constitution approved in the special election held on January 29, 2008 (Amendment 1). Application must be in a form and manner prescribed by the Department of Revenue. For local fiscal year 2009-10, these reductions include the additional \$25,000 homestead exemption, the \$25,000 tangible personal property exemption, homestead assessment difference transferability, and the 10% assessment increase limitation on nonhomestead property.

(2) An application is to be filed with the Department of Revenue on Form DR-420FC, Distribution To Fiscally Constrained Counties Application (R. 09/09), which is hereby incorporated by reference.

(3) Each fiscally constrained county must provide the completed form to the Department of Revenue by November 15, beginning in 2008. The form must be prepared by the county property appraiser. The following is a summary of the information required on the form:

(a) An estimate of the reduction in taxable value for all county government taxing jurisdictions directly attributable to the constitutional amendment. This estimate must be based on values comparable to those certified on Form DR-420, Certification of Taxable Value. For local fiscal year 2009-10 only, that portion of the estimated reduction in ad valorem taxable value occurring as a result of homestead assessment difference transfers shall include only the reduction in taxable value for homesteads established on January 1, 2009;

(b) Millage rates for all county government taxing jurisdictions as included on the tax roll extended pursuant to Section 193.122, Florida Statutes, for all such jurisdictions for both the current and prior year;

(c) Rolled-back rates, if available, for each jurisdiction determined as provided in

Section 200.065, Florida Statutes, and included on Form DR-420 by each taxing jurisdiction;

(d) Maximum millage rates, if available, for each jurisdiction that could have been levied by a majority vote pursuant to Section 200.185, Florida Statutes, as included on Form DR-420MM, Maximum Millage Levy Calculation – Final Disclosure, by each taxing jurisdiction.

(4) The calculation must include both operating and debt service levies, including millages levied for two years or less under Section 9(b), Article VII, Florida Constitution.

(5) Copies of Form DR-420FC, Distribution To Fiscally Constrained Counties Application, are available, without cost, by downloading the selected forms from the Department's Internet site at <http://dor.myflorida.com/dor/property/>.

(6) This rule shall replace Rule 12DER08-29 (Reporting of Fiscal Data by Fiscally Constrained Counties to the Department of Revenue For Fiscal Year 2008-09), which took effect October 31, 2008. *Rulemaking Authority Section 13 of Ch. 2008-173, L.O.F. Law Implemented 200.065, 218.12, 218.67, FS. History- New 09-16-09.*