

MEMORANDUM:

TO: County Governments and Property Appraisers
FROM: James McAdams, Director
Property Tax Oversight
SUBJ: Fiscally Constrained Counties – 2009/10 Distribution to Offset
Amendment 1 Property Tax Reductions
DATE: August 7, 2009

Section 218.12, Florida Statutes, provides for a distribution to fiscally constrained counties of funds appropriated by the Legislature for the purpose of offsetting reductions in property tax revenue occurring as a direct result of the constitutional amendment approved on January 29, 2008. The provisions of this amendment include the \$25,000 additional homestead exemption, the \$25,000 tangible personal property exemption, homestead portability, and the 10% assessment increase limitation on non-homestead property.

Counties eligible for this distribution are those defined as fiscally constrained in s. 218.67(1), F.S. A list of these counties as certified by the Governor's Office is attached. The 29 counties are the same as received distributions in fiscal year 2008-09.

For fiscal year 2009-10, the legislature appropriated \$23.2 million for distribution pursuant to s. 218.12, F.S. The draft application form for this distribution is available at <http://dor.myflorida.com/dor/property/fiscal.html>. This is a draft for review and comment. The form would be completed and signed by the property appraiser and also signed by the appropriate county official. Application on the final form is not due until November 15th.

Please note that to complete the form, the property appraiser will have to provide an estimate of the tax roll as if Amendment 1 had not passed. It should also be noted that an amendment to s. 218.12, F.S., by the 2009 Legislature (see section 24, chapter 2009-82, Laws of Florida) affected the calculation of this estimate for fiscal year 2009-10. According to this provision, the estimated tax reduction from Amendment 1's homestead portability provision is to be calculated only for assessment differences transferred to homesteads first established on January 1, 2009.

Also available at the website is a draft of the revised emergency rule implementing s. 218.12, F.S.

We are requesting comments and suggestions on the draft form and rule by Friday, August 28, 2009. Comments should be sent to: DORPTO@dor.state.fl.us. If you have any questions or need additional information, please contact Garth Grumme at grummega@dor.state.fl.us or 850.921.4289.