

M E M O R A N D U M

Date: January 8, 2013

TO: Dave Bullock, Town Manager
FROM: Tom Kelley, Finance Director
SUBJECT: Ordinance 2013-02, Providing for Homestead Exemption of \$50,000 for Qualifying Seniors

At the January 7, 2013, Regular Meeting the Town Commission passed Ordinance 2013-02 on first reading. This Ordinance is in response to recent changes to Florida Statutes Section 196.075(2) providing for an additional Senior Homestead Exemption as a "flat" amount of \$50,000. The current Town Code provides for a \$25,000 exemption which now conflicts with Florida Statutes.

Local property tax officials advise that the Town must amend our local ordinance to provide for a \$50,000 senior homestead exemption for consistency with Florida Statutes if the Town Commission wishes to preserve our senior homestead exemption.

Ordinance 2013-02 is placed on the January 22, 2013 Special Meeting for second reading and public hearing. The Property Appraiser's Office has requested accelerating the adoption process in order to preserve the 2013 senior tax exemption.

If you have any questions please feel free to contact me.

ORDINANCE 2013-02

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, CHAPTER 37, FINANCES AND TAXATION, SECTION 37.15, ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS 65 AND OLDER, TO INCREASE THE EXEMPTION FROM \$25,000.00 TO \$50,000.00; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 196.075, Florida Statutes was amended in the 2012 legislative session to increase the additional homestead exemption for low-income seniors to \$50,000.00; and

WHEREAS, the Property Appraisers have interpreted Section 196.075, Florida Statutes, as amended, to allow only a flat \$50,000 additional exemption or no exemption; and

WHEREAS, Section 37.15 of the Town of Longboat Key Code of Ordinances currently allows a \$25,000 additional exemption which will be nullified if no further action is taken by the Town; and

WHEREAS, the Town Commission of the Town of Longboat Key desires to amend Section 37.15 of the Town of Longboat Key Code of Ordinances to be consistent with the revisions to Section 196.075.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The recitals stated above are hereby incorporated herein by reference.

SECTION 2. The first paragraph of Chapter 37, FINANCE AND TAXATION, Section 37.15, Additional homestead exemption for persons 65 and older, is hereby amended to read as follows:

In accordance with Section 6(f), Article VII, Florida Constitution, and Section 196.075, Florida Statutes, *any* person 65 years or over who has legal or equitable title to real estate located within the Town of Longboat Key and maintains thereon his/her permanent residence which residence qualifies for and receives homestead exemption pursuant to Section 6(a), Art. VII, Florida Constitution, and whose household income does not exceed \$20,000 shall be entitled to make application for an additional homestead exemption of \$50,000 ~~\$25,000~~. This additional homestead exemption, if granted, shall be applicable to all ad valorem tax millage rates levied by the Town.

SECTION 3. Copies of this Ordinance shall be immediately furnished to the Property Appraisers of Sarasota and Manatee Counties, Florida.

SECTION 4. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 5. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 6. This Ordinance shall take effect upon second reading in accordance with Law, and the Charter of the Town of Longboat Key.

PASSED on the first reading the 7th day of January, 2013.

ADOPTED on the second reading and public hearing the _____ day of _____, 2013.

James L. Brown, Mayor

ATTEST:

Trish Granger, Town Clerk