A proposal to revise
ARTICLE X, s. 4, Fla. Const.; providing a value
limitation on the homestead exemption;
authorizing the legislature to change the
amount of the value limitation; providing that
the homestead exemption does not apply to
certain property.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Section 4 of Article X of the Florida
Constitution is revised by amending that section to read:

ARTICLE X

MISCELLANEOUS

SECTION 4. Homestead; exemptions.--

(a) There shall be exempt from forced sale under
process of any court, and no judgment, decree or execution
shall be a lien thereon, except for the payment of taxes and
assessments thereon, obligations contracted for the purchase,
 improvement or repair thereof, or obligations contracted for
house, field or other labor performed on the realty, the
 following property owned by a natural person:

(1) a homestead to the extent of five hundred thousand
dollars in value, and if located outside a municipality, to
the extent of one hundred sixty acres of contiguous land and
improvements thereon, which shall not be reduced without the
owner's consent by reason of subsequent inclusion in a
municipality; or if located within a municipality, to the
extent of one-half acre of contiguous land, upon which the

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exemption shall be limited to the residence of the owner or
his family;
    (2) personal property to the value of one thousand
dollars.
(b) These exemptions shall inure to the surviving
spouse or heirs of the owner.
(c) The homestead shall not be subject to devise if
the owner is survived by spouse or minor child, except the
homestead may be devised to the owner's spouse if there be no
minor child. The owner of homestead real estate, joined by
the spouse if married, may alienate the homestead by mortgage,
sale or gift and, if married, may by deed transfer the title
to an estate by the entirety with the spouse. If the owner or
spouse is incompetent, the method of alienation or encumbrance
shall be as provided by law.
(d) The legislature may by general law raise the value
limitation of the homestead exemption granted in paragraph
(a)(1). For purposes of this section, the value of homestead
property is the just value as reflected in the records of the
county property appraiser.
(e) The homestead exemption in this section does not
apply to any property to the extent that it is acquired or
improved or its equity value increased with the intent to
defraud creditors. The legislature may by general law
implement this subsection.

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