

Florida Amendment 1 (2022) FAQ

What is Amendment 1?

Listed on the ballot as “Limitation on the Assessment of Real Property Used for Residential Purposes”. In simplest terms, it allows a homeowner to raise their property without raising their property taxes; elevating their dwelling and family out of harm’s way from flooding and increasing the resiliency of our communities and tax base.

What flood improvements qualify?

There are some misconceptions that the passage of this amendment would allow any and all flood related improvements to be disregarded in determining property assessments. This is not the case. The associated implementing bill that passed in the legislature in 2021 ([CS/CS/HB 1379](#)) would govern the parameters of what is disregarded in determining a property’s assessed value. This implementing bill focuses the qualifying flood related improvements to those associated with the elevation of residential property.

Who would qualify?

Residential property owners (1 to 9 unit properties) within the FEMA Special Flood Hazard Areas (Flood Zones A & V) would qualify if they voluntarily elevate their existing structure or rebuild their structure above base flood elevation. New construction would of course need to meet all current applicable building codes. Please note that the prior structure does not qualify if already condemned. However, homes destroyed by calamities such as Hurricane Ian already qualify for the same type of treatment under the calamity provision included in state law, [Section 193.155 \(4\)\(b\), Florida Statutes](#).

How large can the elevated or new structure be and not effect a property’s assessed value?

The residential structure may not exceed 1,500 SF or 110% of the total square feet of the previous structure, whichever is greater. Square footage added below base flood elevation (such as garages or storage) is not included in the 110% calculation. Anything over the 110% calculation is treated as new construction and added to the property’s assessed value. For smaller properties, anything over 1,500 SF would be added to the assessed value.

When would it be effective?

If passed by 60% of voters statewide on November 8th, it would be effective as of January 1, 2023. However, residential properties receiving a Certificate of Occupancy (C.O.) during 2022 or later have the potential to qualify if they meet the other criteria.