



A Florida Law Firm

Welcome to Florida

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Immigration • Business Law • Estate Planning • Real Estate • Maritime Law • Debt Collection • Foreign Investment

Advising on the laws of Florida and the United States of America

FOREWORD

This Memorandum has been prepared for the assistance of anyone who is considering establishing a residence in Florida, and who may wish to acquire residential property. It deals in broad terms with the requirements of Florida law and, where applicable, the policies of the United States Government. It is not intended to be exhaustive but merely to provide general information to our clients and their professional advisers.

We recommend that our clients seek legal advice in Florida on their specific proposals before taking any steps to implement them.

This Memorandum has been prepared on the basis of the law and practice as at the date referred to below.

Boyer Law Firm, PLLC.
Jacksonville, Florida

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1. About Florida

An outpost of beauty in the Southeast Florida enjoys a delightful sub-tropical climate exclusively with its southern latitude. The proximity of the Gulf Stream accounts for the mild temperatures which, combined with fertile soil, have produced a verdant state ablaze with the colors of ever-present flowers and shrubs.

Abundant natural beauty has been equally matched by astonishing economic success so that Florida can also boast a highly educated and professional work-force, backed by a sophisticated infrastructure of support services, which have combined to transform what was once merely an idyllic holiday retreat into a dynamic center for international business.

As the southernmost state on the U.S. mainland, Florida's climate ranges from temperate in the north to subtropical in the south. Winter temperatures range from an average of 51 degrees F in the north to 70 degrees F along the southern Atlantic coast. Average summer temperatures are remarkably uniform throughout the state, ranging in the mid-to-low 80s. Precipitation averages about 50 inches annually, with most of the rain occurring during the summer months. The year-round semi-tropical climate, moderate rainfall, abundant sunshine, fresh and sea waters, and freedom from the heavy frost, snow and ice all combine to make Florida an appealing place to live.

Because Florida has less severe winters than many other parts of the country, consumers usually spend less on heavy clothing and fuel. Otherwise, depending on personal taste and standard of living, the cost of living in Florida is comparable to other states. According to the Governor's Office of Planning and Budgeting, prices are generally higher in the southern half of the state.

In the words of the Florida Chamber of Commerce, "Florida is unsurpassed in leisure time activities. The state's moderate climate and diverse geography provide an abundance of recreational opportunities which can be enjoyed all year long -- beach activities, camping, fishing, canoeing, hiking, golf, tennis, scuba diving, sailing, and boating -- to name only a few."

Major entertainment attractions include Cypress Gardens, Disney World, Epcot, Busch Gardens, St. Augustine historical district, and Kennedy Space Center. Museums and historical attractions span the state, as do nationally acclaimed cultural offerings such as the Miami and Sarasota operas.

2. Residency in Florida

A person may enter Florida and remain as a visitor for six months, although extensions are routinely granted for stays. A person wishing to apply for Florida residency may upon after six months of staying in Florida.

To become a resident of Florida, a person must establish a home or a permanent dwelling place and demonstrate the intent to make Florida the place of permanent legal residence. There is no fixed waiting period required before a person can become a resident. Simply produce proof of intent to establish residence by filing a sworn statement with the Clerk of the Circuit Court in the county where your new residence is located. There is a fee, and a driver's license or other picture identification is required for recording the affidavit.

Once you make the decision to become a Florida resident, you should make sure that everything about you shows that you are a Floridian. For example: a Florida resident is not registered to vote in Massachusetts; a Florida resident does not carry a Michigan driver's license; a Florida resident does not own or drive around in a car registered in Ohio. Adherence to the following procedures will provide solid evidence of your intent to be a resident of Florida.

Declaration of Domicile.

Upon making Florida your permanent residence, you should execute and file with the clerk of circuit court in the county where you reside, a Declaration of Domicile. This document is a sworn statement stating that you reside in and maintain a place of abode in the Florida county of your residence and that you intend to maintain such residence as your permanent home. If you also have a residence or residences in other states, you may disclose them and declare that the Florida residence constitutes your predominant and principal home. The general requirements for declaration of domicile are set forth in the Florida Statutes, Chapter 222.17.

Obtain a Florida Driver's License.

Florida law requires that you obtain a Florida driver's license within 30 days after becoming a resident of Florida if you operate a motor vehicle on the highways of this

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