



# How to Domicile in Florida— and Why It Matters



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## More Than Sunshine—Florida Offers Strategic Financial Advantages

For high-net-worth individuals and families, relocating to Florida isn't just about warm winters and beachside living. It's a smart financial move. With no state income tax, favorable estate laws, and asset protection benefits, Florida has become one of the most desirable domiciles in the U.S.

But there's a catch: declaring Florida residency isn't as simple as buying a house and spending the winter there. To truly establish domicile—and help protect your financial advantages—you should follow the right steps to avoid common pitfalls. This article provides a roadmap for making Florida your legal home in the eyes of both the law and the IRS.



### 1. Why Florida? The Financial Case for Domicile

#### Florida offers compelling benefits:

- **No state income tax:** This includes salaries, investment income, retirement distributions, and capital gains.
- **No state estate or inheritance tax:** Critical for legacy and intergenerational wealth planning.
- **Homestead protections:** Strong asset protection for your primary residence.
- **Creditor protection:** IRAs, annuities, and certain life insurance proceeds are safeguarded.

Together, these advantages may offer significant savings over time, especially for families relocating from high-tax states.



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## 2. The Concept of Domicile vs. Residency

Legally, “residency” and “domicile” are not the same. You can have many residences—but only one domicile. Your domicile is your true, fixed, and permanent home. It’s where you intend to return, even if you travel or spend part of the year elsewhere.

Courts and tax authorities look at intent—and back it up with evidence. **Simply spending more than 183 days a year in Florida is not enough.**



## 3. Establishing Domicile: Key Steps

To make Florida your legal home, consider taking the following actions:

- 1. File a Florida Declaration of Domicile:** This notarized document affirms your intent and is filed in your county of residence.
- 2. Update Your Driver’s License and Vehicle Registration:** These are clear markers of primary residence.
- 3. Register to Vote in Florida:** And be sure to vote regularly to demonstrate civic ties.
- 4. Change Your Mailing Address:** Use your Florida address on tax returns, bank statements, insurance documents, and professional memberships.
- 5. Establish a Relationship with Local Professionals:** Florida-based doctors, attorneys, accountants, and financial advisors all reinforce the credibility of your new domicile.
- 6. Claim Homestead Exemption:** This provides property tax savings and strengthens your claim of Florida residency.
- 7. Revise Estate Planning Documents:** Update wills, trusts, and health directives to reflect Florida law.



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## 4. What High-Tax States Look For

If you're moving from a state like New York, California, New Jersey, or Massachusetts, be prepared for heightened scrutiny. These states aggressively audit former residents—especially when large tax revenue is at stake.

### Red flags include:

- Keeping your old home and spending time there regularly.
- Retaining ties to old doctors, clubs, or advisors.
- Continuing to file taxes, vote, or license vehicles in the prior state.

States may use credit card records, cell phone data, EZ-Pass logs, and airline itineraries to track your location. That's why documenting your Florida presence—and severing ties elsewhere—is crucial.



## 5. Common Pitfalls to Avoid

- **"Snowbird" syndrome:** Spending half the year in Florida doesn't automatically make you a resident.
- **Dual domicile confusion:** Having two residences is fine—but only one can be your legal home.
- **Leaving estate documents unchanged:** Out-of-state provisions may not hold up in Florida.
- **Neglecting digital and financial ties:** Subscriptions, billing addresses, and online activity all paint a picture.



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## 6. Timing Considerations

It's recommended to begin the domicile process at the start of a calendar year. This can allow for a clean separation on tax returns, financial reporting, and homestead filing. However, partial-year strategies may still be effective when carefully coordinated with tax professionals.



## 7. Why It's Not Just About Taxes

For many, Florida domicile is about more than saving on income tax. It's about:

- **Simplifying estate planning** across generations
- **Gaining enhanced protection** from certain creditors under Florida law
- **Reducing exposure** to future tax law changes in your former state—if Florida domicile is properly established and maintained
- **Establishing proximity** to children or aging parents
- **Building a lifestyle** aligned with values and goals

## Conclusion: Domicile Should Be Intentional—Not Accidental

Relocating to Florida has the potential to improve your financial position, but only if handled correctly. With thoughtful planning and diligent documentation, you can help secure the legal and economic advantages of Florida domicile—while minimizing unnecessary scrutiny.

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## Why Choose Moran Wealth Management®

At Moran Wealth, we help clients make Florida their financial home—seamlessly and strategically. Our team understands the complexities of changing domicile and has guided numerous families through the transition.

We collaborate with tax advisors and estate attorneys to align your move with broader financial goals—protecting your assets, reducing your tax burden, and simplifying your long-term plan. Our in-house investment team tailors portfolios to your evolving needs, whether you're relocating permanently, semi-seasonally, or planning intergenerational wealth transfer from the Sunshine State.

And because we're headquartered in Naples, Florida, we don't just understand the process—we live it. We bring local insight, national perspective, and a deep commitment to making your transition successful.

*If you're considering a move to Florida, don't leave it to chance.*

*Let Moran Wealth help you make it a confident, compliant, and beneficial decision.*



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