

By Senators Brown-Waite, Dudley, Williams and Clary

10-416A-98

1 A bill to be entitled
2 An act relating to the Coastal Zone
3 Construction Act; amending s. 161.54, F.S.;
4 redefining the term "substantial improvement";
5 providing an effective date.

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7 Be It Enacted by the Legislature of the State of Florida:

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9 Section 1. Subsection (12) of section 161.54, Florida
10 Statutes, is amended to read:

11 161.54 Definitions.--In construing ss. 161.52-161.58:

12 (12) "Substantial improvement" means any repair,
13 reconstruction, rehabilitation, or improvement of a structure,
14 where the actual cost of the improvement or repair of the
15 structure to its pre-damage condition equals or exceeds, over
16 a 5-year period, a cumulative total of 50 percent of the
17 market value of the structure either:

18 (a) Before the improvement or repair is started; or

19 (b) If the structure has been damaged and is being
20 restored, before the damage occurred.

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22 The cumulative total cost does not include nonstructural
23 interior finishings including, but not limited to, finish
24 flooring and floor coverings, base molding, nonstructural
25 substrates, drywall, plaster, paneling, wall covering,
26 tapestries, window treatments, decorative masonry, paint,
27 interior doors, tile, cabinets, moldings and millwork,
28 decorative metal work, vanities, electrical receptacles,
29 electrical switches, electrical fixtures, intercoms,
30 communications and sound systems, security systems, HVAC
31 grills and decorative trim, freestanding metal fireplaces,

1 appliances, water closets, tubs and shower enclosures,
2 lavatories, and water heaters,or roof coverings,except when
3 determining whether the structure has been substantially
4 improved as a result of a single improvement or repair.
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6 For the purposes of this definition, "substantial improvement"
7 is considered to occur when the first alteration of any wall,
8 ceiling, floor, or other structural part of the building
9 commences, whether or not that alteration affects the external
10 dimensions of the structure. The term does not, however,
11 include either any project for improvement of a structure to
12 comply with existing state or local health, sanitary, or
13 safety code specifications which are solely necessary to
14 assure safe living conditions or any alteration of a structure
15 listed on the National Register of Historic Places or the
16 State Inventory of Historic Places.

17 Section 2. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Redefines the term "substantial improvement" for purposes
23 of the Coastal Zone Protection Act.
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