

By Senator Brown-Waite

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

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

Section 1. Subsection (12) of section 161.54, Florida
Statutes, 1998 Supplement, is amended to read:

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

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

- (a) Before the improvement or repair is started; or
- (b) If the structure has been damaged and is being
restored, before the damage occurred.

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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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 Eliminates the 5-year cumulative total provision from the
23 definition of "substantial improvement" in the Coastal
24 Zone Protection Act.
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