

ENROLLED  
 CS/CS/HB 965, Engrossed 2

2010 Legislature

1                                   A bill to be entitled  
 2           An act relating to real property assessment; creating s.  
 3           193.1552, F.S.; providing a definition; requiring property  
 4           appraisers to adjust the assessed value of certain  
 5           properties affected by imported or domestic drywall under  
 6           certain circumstances; providing for a nominal just value  
 7           of \$0 under certain circumstances; providing for  
 8           application to certain properties; providing for  
 9           nonapplication to certain property owners; specifying  
 10          homestead property as damaged for certain purposes;  
 11          prohibiting consideration of homestead property as  
 12          abandoned under certain circumstances; providing for  
 13          assessment of certain property after completion of  
 14          remediation or repair; providing application; providing  
 15          for future repeal unless reviewed and reenacted; providing  
 16          an effective date.

17  
 18 Be It Enacted by the Legislature of the State of Florida:

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 20           Section 1. Section 193.1552, Florida Statutes, is created  
 21 to read:

22           193.1552 Assessment of properties affected by imported or  
 23 domestic drywall.-

24           (1) As used in this section, the term "imported or  
 25 domestic drywall" means drywall that contains elevated levels of  
 26 elemental sulfur that results in corrosion of certain metals.

27           (2) When a property appraiser determines that a single-  
 28 family residential property is affected by imported or domestic

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29 drywall and needs remediation to bring that property up to  
30 current building standards, the property appraiser shall adjust  
31 the assessed value of that property by taking into consideration  
32 the presence of the imported or domestic drywall and the impact  
33 of such drywall on the assessed value. If the building cannot be  
34 used for its intended purpose without remediation or repair, the  
35 value of such building shall be assessed at the nominal just  
36 value of \$0.

37 (3) This section applies only to properties in which:

38 (a) Imported or domestic drywall was used in the  
39 construction of the property or an improvement to the property.

40 (b) The imported or domestic drywall has a significant  
41 negative impact on the just value of the property or  
42 improvement.

43 (c) The purchaser was unaware of the imported or domestic  
44 drywall at the time of purchase.

45 (4) This section does not apply to property owners who  
46 were aware of the presence of imported or domestic drywall at  
47 the time of purchase.

48 (5) Homestead property to which this section applies shall  
49 be considered damaged by misfortune or calamity under s.  
50 193.155(4)(b), except that the 3-year deadline does not apply.

51 (6) Homestead property shall not be considered abandoned  
52 when a homeowner vacates such property for the purpose of  
53 remediation and repair under this section, provided the  
54 homeowner does not establish a new homestead.

55 (7) Upon the substantial completion of remediation and  
56 repairs, the property shall be assessed as if such imported or

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57 | domestic drywall had not been present.

58 | (8) This section is repealed July 1, 2017, unless reviewed  
59 | and reenacted by the Legislature on or before that date.

60 | Section 2. This act shall take effect upon becoming a law  
61 | and shall apply to the 2010 and subsequent assessment rolls.