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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/01/2021	.	
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The Committee on Finance and Tax (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete lines 158 - 251

and insert:

assessment limitations in subsections (3) and (4), when:

a. The square footage of the property as changed or improved does not exceed 110 percent of the square footage of the property before the damage or destruction; or

~~b. Additionally, the property's assessed value shall not increase if~~ The total square footage of the property as changed



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11 or improved does not exceed 1,500 square feet. ~~Changes,~~
12 ~~additions, or improvements that do not cause the total to exceed~~
13 ~~110 percent of the total square footage of the property before~~
14 ~~the damage or destruction or that do not cause the total to~~
15 ~~exceed 1,500 total square feet shall be reassessed as provided~~
16 ~~under subsection (3).~~

17 2. The property's assessed value must ~~shall~~ be increased by
18 the just value of that portion of the changed or improved
19 property which is in excess of 110 percent of the square footage
20 of the property before the damage or destruction or of that
21 portion exceeding 1,500 square feet.

22
23 Changes, additions, or improvements assessed pursuant to this
24 paragraph shall be reassessed pursuant to subsection (3) in
25 subsequent years.

26 3. Property damaged or destroyed by misfortune or calamity
27 which, after being changed or improved, has a square footage of
28 less than 100 percent of the property's total square footage
29 before the damage or destruction shall be assessed pursuant to
30 subsection (8).

31 4. This paragraph applies to changes, additions, or
32 improvements commenced within 3 years after the January 1
33 following the damage or destruction of the property.

34 Section 3. Paragraph (b) of subsection (6) of section
35 193.1555, Florida Statutes, is amended to read:

36 193.1555 Assessment of certain residential and
37 nonresidential real property.—

38 (6)

39 (b)1. Changes, additions, or improvements that replace all



40 or a portion of nonresidential real property, including
41 ancillary improvements, damaged or destroyed by misfortune or
42 calamity must be assessed upon substantial completion as
43 provided in this paragraph. Such assessment must be calculated
44 using ~~shall not increase~~ the nonresidential real property's
45 assessed value as of the January 1 immediately before the date
46 on which the damage or destruction was sustained, subject to the
47 assessment limitations in subsections (3) and (4), when:

48 a. The square footage of the property as changed or
49 improved does not exceed 110 percent of the square footage of
50 the property before the damage or destruction; and

51 b. The changes, additions, or improvements do not change
52 the property's character or use. ~~Changes, additions, or~~
53 ~~improvements that do not cause the total to exceed 110 percent~~
54 ~~of the total square footage of the property before the damage or~~
55 ~~destruction and do not change the property's character or use~~
56 ~~shall be reassessed as provided under subsection (3).~~

57 2. The property's assessed value must ~~shall~~ be increased by
58 the just value of that portion of the changed or improved
59 property which is in excess of 110 percent of the square footage
60 of the property before the damage or destruction.

61
62 Changes, additions, or improvements assessed pursuant to this
63 paragraph must be reassessed pursuant to subsection (3) in
64 subsequent years.

65 3. Property damaged or destroyed by misfortune or calamity
66 which, after being changed or improved, has a square footage of
67 less than 100 percent of the property's total square footage
68 before the damage or destruction shall be assessed pursuant to



69 subsection (8).

70 4. This paragraph applies to changes, additions, or
71 improvements commenced within 3 years after the January 1
72 following the damage or destruction of the property.

73 Section 4. For the purpose of incorporating the amendments
74 made by this act to sections 193.155, 193.1554, and 193.1555,
75 Florida Statutes, in references thereto, section 193.1557,
76 Florida Statutes, is reenacted to read:

77 193.1557 Assessment of certain property damaged or
78 destroyed by Hurricane Michael.—For property damaged or
79 destroyed by Hurricane Michael in 2018, s. 193.155(4)(b), s.
80 193.1554(6)(b), or s. 193.1555(6)(b) applies to changes,
81 additions, or improvements commenced within 5 years after
82 January 1, 2019. This section applies to the 2019–2023 tax rolls
83 and shall stand repealed on December 31, 2023.

84 Section 5. The amendments made by this act to sections
85 193.155(4), 193.1554, and 193.1555, Florida Statutes, are
86 remedial and clarifying in nature, but the amendments may not
87 affect any assessment for tax rolls before 2021 unless the
88 assessment is under review by a value adjustment board or a
89 Florida court as of the effective date of this act. If changes,
90 additions, or improvements that replaced all or a portion of
91 property damaged or destroyed by misfortune or calamity were not
92 assessed in accordance with this act as of the January 1
93 immediately after they were substantially completed, the
94 property appraiser must determine the assessment for the year
95 they were substantially completed and recalculate the just and
96 assessed value for each subsequent year so that the 2021 tax
97 roll and subsequent tax rolls will be corrected.



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98 Section 6. This act applies to assessments made on or after

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100 ===== T I T L E A M E N D M E N T =====

101 And the title is amended as follows:

102 Delete line 44

103 and insert:

104 thereto; providing construction; requiring the
105 property appraiser to determine assessments for
106 certain changes, additions, or improvements for the
107 year they were substantially completed and recalculate
108 the just and assessed value for subsequent years under
109 certain circumstances; providing applicability;
110 providing an