

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Ways & Means Committee
2 Representative Berfield offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 60-123 and insert:

6 a. "Elevation," "elevated," or "elevate" means:

7 (I) Raising an existing homestead property to at least the
8 minimum height required to comply with the elevation
9 requirements of the National Flood Insurance Program or the
10 Florida Building Code; or

11 (II) Raising an existing homestead property to mitigate
12 flood damage sustained during a previous flood event, provided
13 that the elevation does not exceed the height required to comply
14 with elevation requirements of the National Flood Insurance
15 Program or the Florida Building Code at the property nearest to
16 the homestead property.

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17 b. "Elevation certificate" means the certificate used to
18 demonstrate the elevation of property, which has been developed
19 by the Federal Emergency Management Agency pursuant to federal
20 floodplain management regulations.

21 c. "Previous flood event" means, for homestead property
22 situated within a county in which a state of emergency is
23 declared pursuant to s. 252.36, partial or complete inundation
24 of the homestead property caused by the overflow of inland or
25 tidal waters, the unusual and rapid accumulation of runoff or
26 surface waters from any established water source, such as a
27 river, stream, or drainage ditch, or sustained periods of
28 standing water resulting from rainfall.

29 2. Changes, additions, or improvements that replace or are
30 made to homestead property to elevate such property must be
31 assessed upon substantial completion as provided in this
32 paragraph. Except as provided in subparagraph 3., such an
33 assessment must be calculated using the property's assessed
34 value as of the January 1 immediately preceding the commencement
35 of elevation, subject to the assessment limitations in
36 subsections (1) and (2), when:

37 a. The square footage of the homestead property as
38 elevated does not exceed 110 percent of the square footage of
39 the homestead property before the elevation; or

40 b. The total square footage of the homestead property as
41 elevated does not exceed 2,000 square feet.

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42 3. Homestead property that was unable to be used for its
43 intended purpose on the January 1 immediately preceding
44 commencement of elevation due to damage or destruction caused by
45 misfortune or calamity must have such assessment calculated
46 using the homestead property's assessed value as of the January
47 1 immediately preceding such damage or destruction, subject to
48 the assessment limitations in subsections (1) and (2). Such
49 property's elevation must be commenced within 5 years after the
50 January 1 following the damage or destruction of the homestead.

51 4. The homestead property's assessed value must be
52 increased by the just value of that portion of the elevated
53 homestead property which is in excess of 110 percent of the
54 square footage of the homestead property before the elevation or
55 of that portion exceeding 2,000 square feet. However, the area
56 underneath an elevated structure which is dedicated only for
57 parking, storage, or access may not be included in the 110
58 percent calculation. The area underneath an elevated structure
59 that exceeds 110 percent of the lowest level square footage
60 before the elevation must be included in the 110 percent
61 calculation.

62 5. An elevated homestead property that has a square
63 footage of less than 100 percent of the homestead property's
64 total square footage before the elevation must be assessed
65 pursuant to subsection (5).

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66 6. Property appraisers may require the property owner to
67 provide evidence substantiating eligibility for assessment
68 pursuant to this paragraph, including elevation certificates
69 documenting compliance with the National Flood Insurance
70 Program, or, if elevating in accordance with sub-sub-
71 subparagraph 1.a.(II), documentation evidencing damage from a
72 prior flood event, including local government building permits
73 obtained during reconstruction.

74 7. To be eligible for the assessment limitation under this
75 paragraph, homestead property must comply with all applicable
76 Federal Emergency Management Agency's National Flood Insurance
77 Program building requirements and Florida Building Code
78 elevation requirements. Homestead property elevation pursuant to
79 sub-sub-subparagraph 1.a.(II) must comply with building and
80 elevation requirements nearest the property.

81 8. This paragraph does not apply to homestead property
82 that was elevated if there is a change in the classification of
83 the property pursuant to s. 195.073(1) on the January 1
84 immediately after the substantial completion.

85 9. This paragraph applies to homestead property for which
86

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88 **T I T L E A M E N D M E N T**

89 Remove lines 3-4 and insert:

90 amending s. 193.155, F.S.; defining terms;