

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Regulatory Reform &
 2 Economic Development Subcommittee
 3 Representative Roach offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Section 553.8991, Florida Statutes, is created
 8 to read:

9 553.8991 Resiliency and Safe Structures Act.—

10 (1) SHORT TITLE.—This section may be cited as the
 11 “Resiliency and Safe Structures Act.”

12 (2) DEFINITIONS.—As used in this section, the term:

13 (a) “Nonconforming structure” means a structure located in
 14 a coastal high-hazard area according to a Flood Insurance Rate
 15 Map issued by the Federal Emergency Management Agency (FEMA)

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16 which does not conform to the requirements for new construction
17 issued by the National Flood Insurance Program.

18 (b) "Replacement structure" means a new structure built on
19 a property where a structure was demolished or will be
20 demolished pursuant to this act.

21 (3) QUALIFYING STRUCTURES AND BUILDINGS.—This section
22 applies to all of the following structures, unless the structure
23 is individually listed in the National Register of Historic
24 Places or is a single-family home:

25 (a) Nonconforming structures in coastal high-hazard areas
26 which fail to meet FEMA standards for new construction.

27 (b) Any structure determined to be unsafe by a local
28 building official.

29 (c) Any structure ordered to be demolished by a local
30 government that has proper jurisdiction.

31 (4) RESTRICTIONS ON DEMOLITION PROHIBITED.—A local
32 government may not prohibit, restrict, or prevent the demolition
33 of any structure identified in subsection (3) for any reason,
34 other than public safety.

35 (5) RESTRICTIONS ON REDEVELOPMENT PROHIBITED.— A
36 replacement structure shall be permitted to be developed in
37 accordance with all applicable zoning codes and ordinances
38 providing they do not in any way penalize or restrict
39 development rights due or related to the demolition of any
40 structure pursuant to this act, including a requirement for

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41 replication of the demolished structure, a limitation on the
42 size or height of the replacement structure, or the maintenance
43 of any of the demolished structure's elements. Owners or
44 developers of replacement structures are permitted to develop in
45 accordance with all land use, zoning, and other land development
46 rights, whether established by law, ordinance, rule, regulation,
47 policy, development order, or any other act, without regard to
48 any local government restrictions or penalties resulting from
49 the demolition of a structure identified in subsection (3) that
50 may restrict development of a replacement structure as a result
51 of a local government order, a designation, a code enforcement
52 proceeding, or an ordinance.

53 (6) APPLICATION.—This section applies prospectively and
54 retroactively to any law adopted contrary to this section and
55 its intent.

56 (7) PREEMPTION.—A municipality, county, special district,
57 or political subdivision may not adopt or apply a law, an
58 ordinance, a rule, a regulation, a policy, a resolution, or any
59 other act that in any way limits the demolition of structures
60 and buildings identified in subsection (3) or limits the
61 development of a replacement structure in a way that would
62 divest property owners or developers of land use, zoning, or
63 other land development rights for demolishing a structure in
64 accordance with this section. All laws, ordinances, rules,
65 regulations, policies, resolutions, and other acts of a

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66 municipality, county, special district, or political subdivision
67 to the contrary are void.

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

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

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Remove lines 3-6 and insert:

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or unsafe structures;