

Requested by Senator ROBLAN

**PROPOSED AMENDMENTS TO  
SENATE BILL 311**

1 On page 1 of the printed bill, delete lines 5 through 8 and insert:

2 “(a)(A) ‘Eligible costs’ means costs that are:

3 “(i) Directly related to the work necessary to seismically retrofit eligible  
4 property; and

5 “(ii) Incurred after an application relating to the retrofitting has been  
6 approved under section 2 of this 2017 Act.

7 “(B) ‘Eligible costs’ includes, but is not limited to:

8 “(i) All costs directly related to structural seismic retrofitting, including,  
9 but not limited to, the necessary costs of demolition and restoration of sim-  
10 ilar architectural finishes, electrical systems, plumbing and mechanical sys-  
11 tems necessary for access; and

12 “(ii) Architectural and engineering fees, and fees for testing, insurance  
13 and project management, related to the seismic retrofitting.

14 “(C) ‘Eligible costs’ does not include:

15 “(i) Costs associated with refurbishing or remodeling that are intended  
16 to enhance the aesthetics, functionality or marketability of the improvements  
17 but do not extend the seismic life safety of the improvements; or

18 “(ii) Costs for abatement of hazardous materials, including, but not lim-  
19 ited to, asbestos, or for relocation or loss of rent during the seismic  
20 retrofitting.

21 “(b) ‘Eligible property’ means improvements built before January 1, 1993,

1 that constitute a commercial, industrial or multifamily building.”.

2 In line 11, delete “has been” and insert “will be”.

3 Delete lines 19 through 21.

4 In line 22, delete “(A)”.

5 On page 2, line 1, delete “10” and insert “15”.

6 Delete lines 2 and 3.

7 In line 8, after “of” insert “the tax benefit from”.

8 Delete lines 10 and 11 and insert:

9 “(c) The ordinance or resolution may:

10 “(A) Further restrict eligible properties to unreinforced masonry  
11 buildings, unreinforced concrete buildings or any other building type con-  
12 sidered seismically dangerous by the governing body of the city or county;

13 “(B) Impose an annual cap on the total dollar value of exemptions and  
14 partial exemptions; and

15 “(C) Impose any other conditions for the exemption or partial exemption  
16 that do not conflict with sections 1 to 5 of this 2017 Act.”.

17 On page 3, after line 4, insert:

18 “(e) Plans, calculations and any other documentation required by the city  
19 or county, prepared and stamped by a registered structural engineer or ar-  
20 chitect certifying that the proposed seismic retrofitting qualifies under the  
21 performance standard defined as Basic Performance Objective for Existing  
22 Buildings, or higher, for structural performance in the Seismic Evaluation  
23 and Retrofit of Existing Buildings ASCE/SEI 41-13, published by the Ameri-  
24 can Society of Civil Engineers and the Structural Engineering Institute, as  
25 in effect on December 31, 2016, unless the governing body of the city or  
26 county has expressly approved or required a different performance standard.  
27 The certification must include seismic retrofitting of parapets, cornices and  
28 chimneys.

29 “(f) Documentation of any financial incentives received from local, state  
30 or federal government for the seismic retrofitting of the eligible property,

1 exclusive of the exemption or partial exemption granted under sections 1 to  
2 5 of this 2017 Act.”.

3 In line 5, delete “(e)” and insert “(g)”.

4 In line 20, before the period insert “, reduced by any financial incentives  
5 received from local, state or federal government for the seismic retrofiting  
6 of the eligible property, exclusive of the exemption or partial exemption  
7 granted under sections 1 to 5 of this 2017 Act”.

8 After line 24, insert:

9 “(6) Upon receiving notice under subsection (4) of this section of the ap-  
10 proval of an application, the owner of the eligible property shall cause to  
11 be recorded with the clerk of the county in which the eligible property is  
12 located a notice that contains a legal description of the eligible property and  
13 a statement that the eligible property has been granted a property tax ex-  
14 emption pursuant to an ordinance or resolution adopted under section 1 of  
15 this 2017 Act and that the owner, or the owner’s successor or assignees, may  
16 be liable for additional taxes under section 5 of this 2017 Act.”.

17 In line 25, delete “(6)” and insert “(7)” and delete “in an arm’s-length  
18 transaction”.

19 In line 29, after “transfer” insert “and of the transferee’s intention to  
20 continue the seismic retrofiting in a manner consistent with the require-  
21 ments of sections 1 to 5 of this 2017 Act”.

22 In line 34, delete “new or”.

23 In line 36, before the period insert “that is consistent with the definition  
24 of ‘eligible property’ under section 1 of this 2017 Act”.

25 In line 40, delete “under this sec-”.

26 In line 41, delete “tion” and insert “pursuant to an ordinance or resol-  
27 ution adopted under section 1 of this 2017 Act”.

28 In line 42, after “(1)” insert “(a)”.

29 On page 4, after line 1, insert:

30 “(b) The owner shall include with the documentation the amount of any

1 financial incentives received from local, state or federal government for the  
2 seismic retrofitting of the eligible property, exclusive of the exemption or  
3 partial exemption granted under sections 1 to 5 of this 2017 Act. The city  
4 or county shall report the amount of the incentives to the assessor of the  
5 county in which the eligible property is located, who shall reduce the eligible  
6 costs for the eligible property by the amount of the incentives.”.

7 In line 4, delete “assessor of the county in which the eligible property is  
8 located” and insert “county assessor”.

9 In line 22, delete the second “or”.

10 In line 23, delete the period and insert “; or

11 “(C) Perform the seismic retrofitting of the eligible property in substan-  
12 tial compliance with the standards certified in the manner provided in sec-  
13 tion 2 (2)(e) of this 2017 Act and approved with the application relating to  
14 the eligible property by the city or county under section 2 of this 2017  
15 Act.”.

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