

HB 297

2016

1 A bill to be entitled
2 An act relating to limitations on actions other than
3 for the recovery of real property; amending s. 95.11,
4 F.S.; specifying the date of completion for specified
5 contracts; providing an effective date.

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7 Be It Enacted by the Legislature of the State of Florida:

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9 Section 1. Paragraph (c) of subsection (3) of section
10 95.11, Florida Statutes, is amended to read:

11 95.11 Limitations other than for the recovery of real
12 property.—Actions other than for recovery of real property shall
13 be commenced as follows:

14 (3) WITHIN FOUR YEARS.—

15 (c) An action founded on the design, planning, or
16 construction of an improvement to real property, with the time
17 running from the date of actual possession by the owner, the
18 date of the issuance of a certificate of occupancy, the date of
19 abandonment of construction if not completed, or the date of
20 completion or termination of the contract between the
21 professional engineer, registered architect, or licensed
22 contractor and his or her employer, whichever date is latest;
23 except that, when the action involves a latent defect, the time
24 runs from the time the defect is discovered or should have been
25 discovered with the exercise of due diligence. In any event, the
26 action must be commenced within 10 years after the date of

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27 actual possession by the owner, the date of the issuance of a
28 certificate of occupancy, the date of abandonment of
29 construction if not completed, or the date of completion or
30 termination of the contract between the professional engineer,
31 registered architect, or licensed contractor and his or her
32 employer, whichever date is latest. The date of completion of
33 the contract between the professional engineer, registered
34 architect, or licensed contractor and his or her employer is the
35 last day during which the professional engineer, registered
36 architect, or licensed contractor furnishes labor, services, or
37 materials, excluding labor, services, or materials relating to
38 the correction of deficiencies in previously performed work or
39 materials supplied.

40 Section 2. This act shall take effect July 1, 2016.