

THE FLORIDA SENATE  
2022 SUMMARY OF LEGISLATION PASSED  
**Committee on Community Affairs**

**SB 352 — Construction Liens**

by Senator Hooper

A construction project generally begins with the posting of a “notice of commencement” on the job site and the recording of the notice in the county clerk’s office. The recording of a notice of commencement is meant to give constructive notice to an owner of real property that claims of lien may be recorded against that property, and which liens may take priority.

A notice of commencement is required for any direct contract greater than \$2,500 between an owner and a contractor, related to improvements to real property consisting of single or multiple family dwellings up to and including four units. However, a notice of commencement is not required in direct contracts to repair or replace an existing heating or air-conditioning system in an amount less than \$7,500.

SB 352 revises the requirement to file a notice of commencement for the repair or replacement of an existing heating or air-conditioning system. The bill raises the cost threshold where a notice of commencement is not required for such contracts from \$7,500 to \$15,000.

If approved by the Governor, these provisions take effect July 1, 2022.

*Vote: Senate 37-0; House 113-0*