

Bill No. CS for CS for SB 1382

Amendment No. Barcode 923284

	CHAMBER ACTION
<u>Senate</u>	<u>House</u>
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11	Senator Bennett moved the following amendment:
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13	Senate Amendment (with title amendment)
14	On page 5, lines 3-12, delete those lines
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16	and insert:
17	Section 3. Subsection (7) of section 713.02, Florida
18	Statutes, is amended to read:
19	713.02 Types of lienors and exemptions.--
20	(7) Notwithstanding any other provision of this part,
21	no lien shall exist in favor of any contractor, subcontractor,
22	or sub-subcontractor <u>who is unlicensed as provided in s.</u>
23	<u>489.128 or s. 489.532. Notwithstanding any other provision of</u>
24	<u>this part, if a contract is rendered unenforceable by an</u>
25	<u>unlicensed contractor, subcontractor, or sub-subcontractor</u>
26	<u>pursuant to s. 489.128 or s. 489.532, such unenforceability</u>
27	<u>shall not affect the rights of any other parties to enforce</u>
28	<u>contract, lien, or bond remedies and shall not affect the</u>
29	<u>obligations of a surety that has provided a bond on behalf of</u>
30	<u>the unlicensed contractor, subcontractor, or</u>
31	<u>sub-subcontractor. It shall not be a defense to any claim on a</u>

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1 bond or indemnity agreement that the principal or indemnitor
 2 is unlicensed as provided in s. 489.128 or s. 489.532 unless
 3 ~~such contractor, subcontractor, or sub-subcontractor is~~
 4 ~~licensed, if required to be licensed, as a contractor pursuant~~
 5 ~~to the laws of the jurisdiction within which she or he is~~
 6 ~~doing business.~~

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

10 And the title is amended as follows:

11 On page 1, lines 15-17, delete those lines

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13 and insert:

14 obligations; amending s. 713.02, F.S.;

15 clarifying that an unlicensed contractor has no

16 lien rights; amending s. 489.113,

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