



HB 1917

2003

1 A bill to be entitled

2 An act relating to statutes of limitation; amending s.
3 95.031, F.S.; clarifying that the statute of limitations
4 for actions founded upon fraud include actions founded on
5 constructive fraud; providing that such amendments are
6 remedial in nature and have retroactive effect; providing
7 an effective date.

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

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11 Section 1. Paragraph (a) of subsection (2) of section
12 95.031, Florida Statutes, is amended to read:

13 95.031 Computation of time.--Except as provided in
14 subsection (2) and in s. 95.051 and elsewhere in these statutes,
15 the time within which an action shall be begun under any statute
16 of limitations runs from the time the cause of action accrues.

17 (2)(a) An action founded upon ~~for~~ fraud under s. 95.11(3),
18 including constructive fraud, must be begun within the period
19 prescribed in this chapter, with the period running from the
20 time the facts giving rise to the cause of action were
21 discovered or should have been discovered with the exercise of
22 due diligence, instead of running from any date prescribed
23 elsewhere in s. 95.11(3), but in any event an action for fraud
24 under s. 95.11(3) must be begun within 12 years after the date
25 of the commission of the alleged fraud, regardless of the date
26 the fraud was or should have been discovered.

27 Section 2. The amendment of s. 95.051(2)(a), Florida
28 Statutes, provided in this act is remedial in nature and shall
29 have retroactive effect.

30 Section 3. This act shall take effect upon becoming a law.