

Bill No. SB 588

Barcode 732090

CHAMBER ACTION

Senate

House

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Comm: FAV
02/07/2006 03:19 PM

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The Committee on Regulated Industries (King) recommended the following amendment:

Senate Amendment (with title amendment)

On page 9, between lines 3 and 4,

insert:

Section 3. Paragraph (b) of subsection (1) of section 713.18, Florida Statutes, is amended to read:

713.18 Manner of serving notices and other instruments.--

(1) Service of notices, claims of lien, affidavits, assignments, and other instruments permitted or required under this part, or copies thereof when so permitted or required, unless otherwise specifically provided in this part, must be made by one of the following methods:

(b) By sending the same by registered or certified mail, with postage prepaid, or by overnight or second-day delivery with evidence of delivery, which may be in an electronic format.

1. If a notice to owner, a notice to contractor under

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1 s. 713.23, or a preliminary notice under s. 255.05 is mailed
2 by registered or certified mail with postage prepaid to the
3 person to be served at any of the addresses set forth in
4 subparagraph 2. within 40 days after the date the lienor first
5 furnishes labor, services, or materials, service of that
6 notice is effective as of the date of mailing if the person
7 who served the notice maintains a registered or certified mail
8 log that shows the registered or certified mail number issued
9 by the United States Postal Service, the name and address of
10 the person served, and the date stamp of the United States
11 Postal Service confirming the date of mailing, or if the
12 person who served the notice maintains electronic tracking
13 records generated through use of the United States Postal
14 Service "confirm" or similar service containing the postal
15 tracking number, the name and address of the person served,
16 and verification of the date of receipt by the United States
17 Postal Service.

18 2. If an instrument served pursuant to this section to
19 the last address shown in the notice of commencement or any
20 amendment thereto or, in the absence of a notice of
21 commencement, to the last address shown in the building permit
22 application, or to the last known address of the person to be
23 served, is not received, but is returned as being "refused,"
24 "moved, not forwardable," or "unclaimed," or is otherwise not
25 delivered or deliverable through no fault of the person
26 serving the item, then service is effective on the date the
27 notice was sent.

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29 (Redesignate subsequent sections.)
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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 22, after the semicolon,

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5 insert:

6 amending s. 713.18, F.S.; providing for
7 electronic verification of service of notices
8 and other documents;

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