

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eagle offered the following:

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3 **Amendment to Amendment (868193) (with title amendment)**

4 Between lines 543 and 544 of the amendment, insert:

5 Section 24. Section 713.32, Florida Statutes, is amended  
6 to read:

7 713.32 Insurance proceeds liable for demands.—The proceeds  
8 of any insurance that by the terms of the policy contract are  
9 payable to the owner of improved real property or a lienor and  
10 actually received or to be received by him or her because of the  
11 damage, destruction, or removal by fire or other casualty of an  
12 improvement on which lienors have furnished labor or services or  
13 materials shall, after the owner or lienor, as the case may be,  
14 has been reimbursed therefrom for any premiums paid by him or

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15 her, be liable to liens or demands for payment provided by this  
 16 part to the same extent and in the same manner, order of  
 17 priority, and conditions as the real property or payments under  
 18 a direct contract would have been, if the improvement had not  
 19 been so damaged, destroyed, or removed. The insurer may only pay  
 20 the proceeds of the policy of insurance to the insured named in  
 21 the policy or to any other entity that the owner and the insurer  
 22 have explicitly agreed to in writing before payment and  
 23 thereupon any liability of the insurer under this part shall  
 24 cease. The named insured who receives any proceeds of the policy  
 25 shall be deemed a trustee of the proceeds, and the proceeds  
 26 shall be deemed trust funds for the purposes designated by this  
 27 section for a period of 1 year from the date of receipt of the  
 28 proceeds. This section shall not apply to that part of the  
 29 proceeds of any policy of insurance payable to a person,  
 30 including a mortgagee, who holds a lien perfected before the  
 31 recording of the notice of commencement or recommencement.

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**T I T L E   A M E N D M E N T**

35 Remove line 596 of the amendment and insert:  
 36 alternate member may respond; amending s. 713.32,  
 37 F.S.; revising provisions for the payment of certain  
 38 insurance proceeds;

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