

Amendment No.2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Toledo offered the following:

Amendment (with title amendment)

5 Remove lines 595-608 and insert:

6 (6) A person may not require a lienor to furnish a lien
 7 waiver or release of lien that is different from the forms in
 8 subsections ~~subsection~~ (4) or ~~subsection~~ (5), unless the lienor
 9 has entered into a contract that requires the lienor to furnish
 10 a waiver or release that is different from the forms in
 11 subsections (4) or (5).

12 (7) A lienor who executes a lien waiver and release in
 13 exchange for a check may condition the waiver and release on
 14 payment of the check. However, in the absence of a payment bond
 15 protecting the owner, the owner may withhold from any payment to
 16 the contractor the amount of any such unpaid check until any

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17 such condition is satisfied.

18 (8) Any provisions in a lien waiver or lien release which
19 are that is not related to the waiver or release of a lien or
20 the right to claim a lien as provided in this section are
21 unenforceable, unless the lienor has otherwise agreed to those
22 provisions in the contract substantially similar to the forms in
23 subsections (4) and (5) is enforceable in accordance with the
24 terms of the lien waiver or lien release.

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27 **T I T L E A M E N D M E N T**

28 Remove lines 26-29 and insert:
29 changes; amending s. 713.20, F.S.; requiring that a waiver or
30 release of lien be in a statutorily specified form; providing
31 that specified provisions in