

Amendment No.4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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

3
4 **Amendment (with title amendment)**

5 Between lines 768 and 769, insert:

6 Section 14. Paragraph (d) of subsection (1) of section
7 713.135, Florida Statutes, is amended, new paragraphs (e) and
8 (f) of subsection (1) of that section are created, existing
9 paragraph (e) of subsection (1) of that section is redesignated
10 as paragraph (g), and subsection (3) of that section is amended
11 to read:

12 713.135 Notice of commencement and applicability of lien.—

13 (1) When any person applies for a building permit, the
14 authority issuing such permit shall:

15 (d) Furnish to the applicant two or more copies of a form
16 of notice of commencement conforming with s. 713.13.

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17 (e) Require ~~If the direct contract is greater than \$2,500,~~
18 the applicant to ~~shall~~ file with the issuing authority prior to
19 the first inspection a copy of the notice of commencement if the
20 direct contract is greater than \$2,500 either a certified copy
21 of the recorded notice of commencement or a notarized statement
22 that the notice of commencement has been filed for recording,
23 along with a copy thereof. For purposes of this paragraph, "copy
24 of the notice of commencement" means a certified copy of the
25 recorded notice of commencement, a notarized statement that the
26 notice of commencement has been filed for recording, along with
27 a copy thereof, or the clerk's office official records
28 identifying information that includes the instrument number for
29 the notice of commencement or the number and page of book where
30 the notice of commencement is recorded, as identified by the
31 clerk.

32 1. In the absence of the filing of a copy of the notice
33 of commencement ~~certified copy of the recorded notice of~~
34 ~~commencement,~~ the issuing authority or a private provider
35 performing inspection services may not perform or approve
36 subsequent inspections until the applicant files by mail,
37 facsimile, hand delivery, or any other means such ~~certified~~ copy
38 with the issuing authority.

39 2. The ~~certified~~ copy of the notice of commencement must
40 contain the name and address of the owner, the name and address
41 of the contractor, and the location or address of the property

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42 being improved. The issuing authority shall verify that the name
43 and address of the owner, the name of the contractor, and the
44 location or address of the property being improved which is
45 contained in the ~~certified~~ copy of the notice of commencement is
46 consistent with the information in the building permit
47 application.

48 3. The issuing authority shall provide the recording
49 information on the copy of the notice of commencement ~~certified~~
50 ~~copy of the recorded notice of commencement~~ to any person upon
51 request.

52 4. This subsection does not require the recording of a
53 notice of commencement prior to the issuance of a building
54 permit. If a local government requires a separate permit or
55 inspection for installation of temporary electrical service or
56 other temporary utility service, land clearing, or other
57 preliminary site work, such permits may be issued and such
58 inspections may be conducted without providing the issuing
59 authority with a copy of the notice of commencement ~~certified~~
60 ~~copy of a recorded notice of commencement or a notarized~~
61 ~~statement regarding a recorded notice of commencement.~~

62 (f) This subsection does not apply to a direct contract to
63 repair or replace an existing heating or air-conditioning system
64 in an amount less than \$7,500.

65 (3) An issuing authority under subsection (1) is not
66 liable in any civil action for the failure to verify that a

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67 certified copy of the recorded notice of commencement, a
68 notarized statement that the notice of commencement has been
69 filed for recording along with a copy thereof, or the clerk's
70 office official records identifying information that includes
71 the instrument number for the notice of commencement or the
72 number and page of book where the notice of commencement is
73 recorded, as identified by the clerk, has been filed in
74 accordance with this section.
75
76

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

79 Remove line 44 and insert:
80 security; amending s. 713.135, F.S.; providing a definition;
81 authorizing a person to submit certain information prior to the
82 first inspection; providing that an enforcing agency is not
83 liable for failing verify that such information has been
84 submitted; providing an effective date.