

2022352er

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2 An act relating to construction liens; amending s.  
3 713.135, F.S.; revising the threshold for determining  
4 whether certain direct contracts to repair or replace  
5 an existing heating or air-conditioning system are  
6 exempt from specified notice of commencement and  
7 applicability of lien requirements for authorities  
8 issuing building permits; providing an effective date.  
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10 Be It Enacted by the Legislature of the State of Florida:  
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12 Section 1. Paragraph (d) of subsection (1) of section  
13 713.135, Florida Statutes, is amended to read:

14 713.135 Notice of commencement and applicability of lien.—

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

17 (d) Furnish to the applicant two or more copies of a form  
18 of notice of commencement conforming with s. 713.13. If the  
19 direct contract is greater than \$2,500, the applicant shall file  
20 with the issuing authority prior to the first inspection either  
21 a certified copy of the recorded notice of commencement or a  
22 notarized statement that the notice of commencement has been  
23 filed for recording, along with a copy thereof. In the absence  
24 of the filing of a certified copy of the recorded notice of  
25 commencement, the issuing authority or a private provider  
26 performing inspection services may not perform or approve  
27 subsequent inspections until the applicant files by mail,  
28 facsimile, hand delivery, or any other means such certified copy  
29 with the issuing authority. The certified copy of the notice of

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30 commencement must contain the name and address of the owner, the  
31 name and address of the contractor, and the location or address  
32 of the property being improved. The issuing authority shall  
33 verify that the name and address of the owner, the name of the  
34 contractor, and the location or address of the property being  
35 improved which is contained in the certified copy of the notice  
36 of commencement is consistent with the information in the  
37 building permit application. The issuing authority shall provide  
38 the recording information on the certified copy of the recorded  
39 notice of commencement to any person upon request. This  
40 subsection does not require the recording of a notice of  
41 commencement prior to the issuance of a building permit. If a  
42 local government requires a separate permit or inspection for  
43 installation of temporary electrical service or other temporary  
44 utility service, land clearing, or other preliminary site work,  
45 such permits may be issued and such inspections may be conducted  
46 without providing the issuing authority with a certified copy of  
47 a recorded notice of commencement or a notarized statement  
48 regarding a recorded notice of commencement. This subsection  
49 does not apply to a direct contract to repair or replace an  
50 existing heating or air-conditioning system in an amount less  
51 than \$15,000 ~~\$7,500~~.

52 Section 2. This act shall take effect July 1, 2022.