

Amendment No. 1

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WITHDRAWN	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 Borrero offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
 6 Section 1. Section 95.371, Florida Statutes, is created to
 7 read:

8 95.371 Actions against real estate appraisers and
 9 appraisal management companies.-

10 (1) For purposes of this section, the terms or phrases
 11 "appraisal services," "appraisal management company," "appraisal
 12 management services," "appraiser," "board," and "department"
 13 have the same meanings as in s. 475.611.

14 (2) An action to recover damages from an appraiser or
 15 appraisal management company based on contract, tort, or other

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16 legal theory for an act or omission in the performance of
17 appraisal services or appraisal management services must be
18 brought within 2 years after the date that the alleged act or
19 omission is discovered, or should have been discovered, but in
20 no case shall such action be brought more than 4 years after the
21 date the appraisal services or appraisal management services
22 were performed, or should have been performed.

23 (3) Notwithstanding any other law to the contrary, all
24 actions for damages or other relief brought against an appraiser
25 or appraisal management company with respect to appraisal
26 services or appraisal management services shall be governed
27 exclusively by the provisions of this section.

28 (4) This section does not apply to any administrative
29 proceedings initiated by the board or department.

30 (5) This section does not apply to any action founded upon
31 fraud in the provision of appraisal services or appraisal
32 management services by an appraiser or appraisal management
33 company.

34 Section 2. Section 95.371, Florida Statutes, as created by
35 this act, applies to any action accruing on or after July 1,
36 2023. Any action accruing before July 1, 2023, which would not
37 have been barred before July 1, 2023, must be commenced by July
38 1, 2024. Any such action that is not commenced by July 1, 2024,
39 is barred by this act.

40 Section 3. This act shall take effect July 1, 2023.

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

Remove everything before the enacting clause and insert:
An act relating to limitation of actions involving
real estate appraisers and appraisal management
companies; creating s. 95.371, F.S.; defining terms;
specifying statutes of limitations periods for certain
actions involving real estate appraisers and appraisal
management companies; providing construction;
providing applicability; providing an effective date.