

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WITHDRAWN	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: Regulatory Reform &
 2 Economic Development Subcommittee
 3 Representative Snyder offered the following:

Amendment

Remove lines 22-70 and insert:

(3) WITHIN FOUR YEARS.—

(c) An action founded on the design, planning, or
 construction of an improvement to real property, with the time
 running from ~~the date of actual possession by the owner,~~ the
 date the authority having jurisdiction issues ~~of the issuance of~~
 a temporary certificate of occupancy, a certificate of
occupancy, a certificate of completion, or the date of
 abandonment of construction if not completed, ~~or the date of~~
~~completion of the contract or termination of the contract~~
~~between the professional engineer, registered architect, or~~

Amendment No.1

17 ~~licensed contractor and his or her employer,~~ whichever date is
18 earliest latest; except that, when the action involves a latent
19 defect, the time runs from the time the defect is discovered or
20 should have been discovered with the exercise of due diligence.
21 In any event, the action must be commenced within 7 ~~10~~ years
22 after the date ~~of actual possession by the owner, the date of~~
23 ~~the issuance of~~ the authority having jurisdiction issues a
24 temporary certificate of occupancy, a certificate of occupancy,
25 or a certificate of completion, or the date of abandonment of
26 construction if not completed, whichever date is earliest the
27 ~~date of abandonment of construction if not completed, or the~~
28 ~~date of completion of the contract or termination of the~~
29 ~~contract between the professional engineer, registered~~
30 ~~architect, or licensed contractor and his or her employer,~~
31 ~~whichever date is latest.~~ However, counterclaims, cross-claims,
32 and third-party claims that arise out of the conduct,
33 transaction, or occurrence set out or attempted to be set out in
34 a pleading may be commenced up to 1 year after the pleading to
35 which such claims relate is served, even if such claims would
36 otherwise be time barred. With respect to actions founded on the
37 design, planning, or construction of an improvement to real
38 property, if such construction is performed pursuant to a duly
39 issued building permit and if a local enforcement agency, state
40 enforcement agency, or special inspector, as those terms are
41 defined in s. 553.71, has issued a final temporary certificate

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Amendment No.1

42 | of occupancy, certificate of occupancy or certificate of
43 | completion, then as to the construction which is within the
44 | scope of such building permit and certificate, the correction of
45 | defects to completed work or repair of completed work, whether
46 | performed under warranty or otherwise, does not extend the
47 | period of time within which an action must be commenced.
48 | ~~Completion of the contract means the later of the date of final~~
49 | ~~performance of all the contracted services or the date that~~
50 | ~~final payment for such services becomes due without regard to~~
51 | ~~the date final payment is made.~~ Notwithstanding any provision of
52 | this section to the