By Senator Perry

	9-01408-24 2024908
1	A bill to be entitled
2	An act relating to construction liens; amending s.
3	713.20, F.S.; requiring, rather than authorizing, that
4	waivers and releases for liens be substantially
5	similar to statutory forms; providing that lien
6	waivers and lien releases that are not substantially
7	similar to the statutory forms are not enforceable;
8	providing an effective date.
9	
10	Be It Enacted by the Legislature of the State of Florida:
11	
12	Section 1. Subsections (4), (5), and (8) of section 713.20,
13	Florida Statutes, are amended to read:
14	713.20 Waiver or release of liens
15	(4) When a lienor is required to execute a waiver or
16	release of lien in exchange for, or to induce payment of, a
17	progress payment, the waiver or release <u>must</u> may be in
18	substantially the following form:
19	
20	WAIVER AND RELEASE OF LIEN
21	UPON PROGRESS PAYMENT
22	
23	The undersigned lienor, in consideration of the sum of
24	\$, hereby waives and releases its lien and right to claim a
25	lien for labor, services, or materials furnished through
26	(insert date) to(insert the name of your customer)
27	on the job of $\ldots$ (insert the name of the owner) to the
28	following property:
29	

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30	(description of property)
31	
32	This waiver and release does not cover any retention or labor,
33	services, or materials furnished after the date specified.
34	
35	DATED on,(year)(Lienor)
36	Ву:
37	
38	(5) When a lienor is required to execute a waiver or
39	release of lien in exchange for, or to induce payment of, the
40	final payment, the waiver and release <u>must</u> may be in
41	substantially the following form:
42	
43	WAIVER AND RELEASE OF LIEN
44	UPON FINAL PAYMENT
45	
46	The undersigned lienor, in consideration of the final
47	payment in the amount of $\ldots$ , hereby waives and releases
48	its lien and right to claim a lien for labor, services, or
49	materials furnished to(insert the name of your customer)
50	on the job of $\ldots$ (insert the name of the owner) to the
51	following described property:
52	
53	(description of property)
54	
55	DATED on,(year)(Lienor)
56	By:
57	
58	(8) A lien waiver or lien release that is not substantially
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59	similar to the forms in subsections (4) and (5) is <u>not</u>
60	enforceable in accordance with the terms of the lien waiver or
61	lien release.
62	Section 2. This act shall take effect July 1, 2024.