

1 A bill to be entitled
 2 An act relating to limitation of actions; amending s.
 3 95.11, F.S.; reducing the period during which an
 4 action must be brought for a latent defect in the
 5 design, planning, or construction of an improvement to
 6 real property; reenacting s. 627.441(2), F.S.,
 7 relating to commercial general liability policy
 8 coverage to contractors for completed operations, to
 9 incorporate the amendment made by the act to s. 95.11,
 10 F.S., in a reference thereto; providing an effective
 11 date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Paragraph (c) of subsection (3) of section
 16 95.11, Florida Statutes, is amended to read:

17 95.11 Limitations other than for the recovery of real
 18 property.—Actions other than for recovery of real property shall
 19 be commenced as follows:

20 (3) WITHIN FOUR YEARS.—

21 (c) An action founded on the design, planning, or
 22 construction of an improvement to real property, with the time
 23 running from the date of actual possession by the owner, the
 24 date of the issuance of a certificate of occupancy, the date of
 25 abandonment of construction if not completed, or the date of
 26 completion or termination of the contract between the

27 professional engineer, registered architect, or licensed
28 contractor and his or her employer, whichever date is latest;
29 except that, when the action involves a latent defect, the time
30 runs from the time the defect is discovered or should have been
31 discovered with the exercise of due diligence. In any event, the
32 action must be commenced within 7 ~~10~~ years after the date of
33 actual possession by the owner, the date of the issuance of a
34 certificate of occupancy, the date of abandonment of
35 construction if not completed, or the date of completion or
36 termination of the contract between the professional engineer,
37 registered architect, or licensed contractor and his or her
38 employer, whichever date is latest.

39 Section 2. For the purpose of incorporating the amendment
40 made by this act to section 95.11, Florida Statutes, in a
41 reference thereto, subsection (2) of section 627.441, Florida
42 Statutes, is reenacted to read:

43 627.441 Commercial general liability policies; coverage to
44 contractors for completed operations.—

45 (2) A liability insurer must offer coverage at an
46 appropriate additional premium for liability arising out of
47 current or completed operations under an owner-controlled
48 insurance program for any period beyond the period for which the
49 program provides liability coverage, as specified in s.
50 255.0517(2)(b). The period of such coverage must be sufficient
51 to protect against liability arising out of an action brought
52 within the time limits provided in s. 95.11(3)(c).

HB 501

2015

53

Section 3. This act shall take effect July 1, 2015.