

By Senator Gruters

22-00544A-23

2023562\_\_

1                                    A bill to be entitled  
 2        An act relating to notices of commencement; amending  
 3        s. 713.13, F.S.; requiring the Department of Business  
 4        and Professional Regulation to furnish for  
 5        distribution a uniform notice of commencement;  
 6        requiring owners and authorized agents of owners to  
 7        use such uniform notice; providing an effective date.

8  
9    Be It Enacted by the Legislature of the State of Florida:

10  
11        Section 1. Paragraph (d) of subsection (1) of section  
12        713.13, Florida Statutes, is amended to read:

13                713.13 Notice of commencement.—

14                (1)

15                (d) The Department of Business and Professional Regulation  
 16        shall furnish for distribution a uniform notice of commencement  
 17        ~~must be in substantially~~ the following form, and an owner or an  
 18        owner's authorized agent must use such uniform notice of  
 19        commencement for the purposes of this subsection:

20  
21    Permit No.....

   Tax Folio No.....

22                                    NOTICE OF COMMENCEMENT

23    State of....

24    County of....

25  
 26    The undersigned hereby gives notice that improvement will be  
 27    made to certain real property, and in accordance with Chapter  
 28    713, Florida Statutes, the following information is provided in  
 29    this Notice of Commencement.

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- 30 1. Description of property: ...(legal description of the
- 31 property, and street address if available)....
- 32 2. General description of improvement:.....
- 33 3. Owner information or Lessee information if the Lessee
- 34 contracted for the improvement:
- 35 a. Name and address:.....
- 36 b. Interest in property:.....
- 37 c. Name and address of fee simple titleholder (if different
- 38 from Owner listed above):.....
- 39 4.a. Contractor: ...(name and address)....
- 40 b. Contractor's phone number:.....
- 41 5. Surety (if applicable, a copy of the payment bond is
- 42 attached):
- 43 a. Name and address:.....
- 44 b. Phone number:.....
- 45 c. Amount of bond: \$.....
- 46 6.a. Lender: ...(name and address)....
- 47 b. Lender's phone number:.....
- 48 7. Persons within the State of Florida designated by Owner
- 49 upon whom notices or other documents may be served as provided
- 50 by Section 713.13(1)(a)7., Florida Statutes:
- 51 a. Name and address:.....
- 52 b. Phone numbers of designated persons:.....
- 53 8.a. In addition to himself or herself, Owner designates
- 54 ..... of ..... to receive a copy of the Lienor's
- 55 Notice as provided in Section 713.13(1)(b), Florida Statutes.
- 56 b. Phone number of person or entity designated by
- 57 owner:.....
- 58 9. Expiration date of notice of commencement (the

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59 expiration date will be 1 year from the date of recording unless  
 60 a different date is specified).....

61  
 62 WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE  
 63 EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER  
 64 PAYMENTS UNDER CHAPTER 713, PART I, SECTION 713.13, FLORIDA  
 65 STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS  
 66 TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND  
 67 POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU  
 68 INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN  
 69 ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF  
 70 COMMENCEMENT.

71  
 72 ...(Signature of Owner or Lessee, or Owner's or Lessee's  
 73 Authorized Officer/Director/Partner/Manager)...

74  
 75 ...(Signatory's Title/Office)...

76  
 77 The foregoing instrument was acknowledged before me this ....  
 78 day of ....., ...(year)...., by ...(name of person)... as ...(type  
 79 of authority, . . . e.g. officer, trustee, attorney in fact)...  
 80 for ...(name of party on behalf of whom instrument was  
 81 executed).....

82  
 83 ...(Signature of Notary Public - State of Florida)...

84  
 85 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...

86  
 87 Personally Known .... OR Produced Identification ....

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89

Type of Identification Produced.....

90

Section 2. This act shall take effect July 1, 2023.