

1 A bill to be entitled
 2 An act relating to construction liens; amending s.
 3 713.132, F.S.; revising requirements relating to the
 4 recording of a notice of termination; providing an
 5 effective date.

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 7 Be It Enacted by the Legislature of the State of Florida:

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 9 Section 1. Subsection (3) of section 713.132, Florida
 10 Statutes, is amended to read:

11 713.132 Notice of termination.—

12 (3) An owner may ~~not~~ record a notice of termination at any
 13 time whether or not ~~except after completion of construction, or~~
 14 ~~after construction~~ ceases before completion. However, if the
 15 notice is recorded before completion of construction, the notice
 16 may be recorded only after the owner has served notice pursuant
 17 to paragraph (1)(f) to the contractor and all lienors and the
 18 contractor and all lienors giving notice have been paid in full
 19 or pro rata in accordance with s. 713.06(4) for all labor,
 20 services, and materials provided through the effective date of
 21 the notice of termination as provided in subsection (4). If an
 22 owner or a contractor, by fraud or collusion, knowingly makes
 23 any fraudulent statement or affidavit in a notice of termination
 24 or any accompanying affidavit, the owner and the contractor, or
 25 either of them, as the case may be, is liable to any lienor who

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26 | suffers damages as a result of the filing of the fraudulent
27 | notice of termination; and any such lienor has a cause ~~right~~ of
28 | action for damages ~~occasioned thereby~~.

29 | Section 2. This act shall take effect July 1, 2017.