



AIA
Florida

Suits Against Design and Construction Firms
SB204- Senator Kathleen Passidomo (R-Naples)
HB377- Representative Leek (R-Daytona Beach)

Summary **SB204 (Passidomo)/HB377 (Leek) clarifies that the date of completion for a construction contract is the last day that the contractor, architect or engineer performs services related to the contract.**

Senate Referrals: Judiciary, Regulated Industries, Rules

House Referrals: Civil Justice & Claims, Agriculture & Property Rights, Judiciary

Explanation and Justification A recent court ruling by the Fifth District Court of Appeal found that a construction contract is complete upon final payment, thus potentially encouraging owners to withhold final payment; which in turn, could indefinitely delay the start of the ten-year window for claims to be made under the current statute of repose law.

This legislation will ensure that the time clock starts once actual services have been completed in accordance with the contract, and a certificate of occupancy is issued.

Action Sought **Support SB204/HB377 to specify the date of completion for construction contracts as the last day the architect, contractor or engineer performs services related to the contract.**