New Florida Law Impacts Construction Defect Claims

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Florida Governor Ron DeSantis signed into law Senate Bill 360, “Causes of Action Based on Improvements to Real Property,” which is very important for the construction community in Florida.

What Has Changed?

- How one calculates the commencement date for the running of the statute of limitations has changed. The statute of repose has been reduced to seven (7) years from ten (10) years.
- How courts determine what is considered to be a “material violation” under the law has been clarified.
- Finally, the effective date is determined by the date the law was signed OR no later than July 1, 2024 (for those claims that have arisen before the effective date of April 13, 2023).

In essence, coupled with the tort reform bill signed last month, this law will conceivably make it more difficult to maintain a construction defect claim in Florida.

We Can Help

If you have questions, please contact a member of our Construction practice.