

CHAPTER 2023-223

Committee Substitute for Committee Substitute for House Bill No. 213

An act relating to limitation of actions involving real estate appraisers and appraisal management companies; creating s. 95.371, F.S.; defining terms; specifying statutes of limitations periods for certain actions involving real estate appraisers and appraisal management companies; providing construction; providing applicability; providing an effective date.

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

Section 1. Section 95.371, Florida Statutes, is created to read:

95.371 Actions against real estate appraisers and appraisal management companies.—

(1) For purposes of this section, the terms or phrases “appraisal services,” “appraisal management company,” “appraisal management services,” “appraiser,” “board,” and “department” have the same meanings as in s. 475.611.

(2) An action to recover damages from an appraiser or appraisal management company based on contract, tort, or other legal theory for an act or omission in the performance of appraisal services or appraisal management services must be brought within 2 years after the date that the alleged act or omission is discovered, or should have been discovered, but in no case shall such action be brought more than 4 years after the date the appraisal services or appraisal management services were performed, or should have been performed.

(3) Notwithstanding any other law to the contrary, all actions for damages or other relief brought against an appraiser or appraisal management company with respect to appraisal services or appraisal management services shall be governed exclusively by the provisions of this section.

(4) This section does not apply to any administrative proceedings initiated by the board or department.

(5) This section does not apply to any action founded upon fraud in the provision of appraisal services or appraisal management services by an appraiser or appraisal management company.

Section 2. Section 95.371, Florida Statutes, as created by this act, applies to any action accruing on or after July 1, 2023. Any action accruing before July 1, 2023, which would not have been barred before July 1, 2023, must be commenced by July 1, 2024. Any such action that is not commenced by July 1, 2024, is barred by this act.

Section 3. This act shall take effect July 1, 2023.

Approved by the Governor June 12, 2023.

Filed in Office Secretary of State June 12, 2023.