



**RICK SCOTT**  
GOVERNOR

April 27, 2012

Secretary Ken Detzner  
Secretary of State  
Florida Department of State  
R.A. Gray Building  
500 S. Bronough Street  
Tallahassee, Florida 32399

FILED  
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TALLAHASSEE, FLORIDA

Dear Secretary Detzner:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby sign and transmit Committee Substitute for House Bill 1013, enacted during the 114<sup>th</sup> Session of the Legislature of Florida, since statehood in 1845, during the Regular Session of 2012 and entitled:

An act relating to Residential Construction Warranties...

This bill adopts the common law that has been in existence for forty years and clarifies that there is no cause of action based upon the doctrine of implied warranty of fitness and merchantability or habitability for damages to offsite improvements that do not immediately support the structure of the home, such as roads and drainage utilities. Homeowners and homeowner associations will continue to have the same legal remedies they have had for the past forty years, such as through causes of action for a violation of building code, negligence or breach of contract. Extending the doctrine of implied warranties to offsite improvements will likely raise the price of new homes as developers will need to consider the potential costs related to additional litigation.

For the reason(s) stated above, I hereby sign into law Committee Substitute for House Bill 1013.

Sincerely

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor