

§68.089 FS | LIMITATION OF ACTIONS; EFFECT OF INTERVENTIONS BY DEPARTMENT

- (1) A civil action under this act may not be brought:
 - (a) More than 6 years after the date on which the violation of s. 68.082 is committed; or
 - (b) More than 3 years after the date when facts material to the right of action are known or reasonably should have been known by the department, but in no event more than 10 years after the date on which the violation is committed, whichever occurs last.

- (2) If the department elects to intervene and proceed with an action brought under s. 68.083(2), the department may file its own complaint or amend the complaint of a person who has brought an action under s. 68.083(2) to clarify or add detail to the claims in which the department is intervening and to add any additional claims with respect to which the department contends it is entitled to relief. For statute of limitations purposes, any such pleading shall relate back to the filing date of the complaint of the person who originally brought the action, to the extent that the claim of the state arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the prior complaint of that person. This subsection applies to any actions under s. 68.083(2) pending on or filed after July 1, 2013.

History - (s. 9, ch. 94-316; s. 6, ch. 2007-236; s. 9, ch. 2013-104.)

