

By Senator Williams

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A bill to be entitled
An act relating to homestead property; amending
s. 222.01, F.S.; providing that a statement
declaring property to be a homestead for
purposes of exemption from forced sale must be
filed in person with the clerk of the circuit
court; providing an effective date.

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

Section 1. Section 222.01, Florida Statutes, is
amended to read:

222.01 Designation of homestead by owner before
levy.--Whenever any person residing in this state desires to
avail himself or herself of the benefit of the provisions of
the constitution and laws exempting property as a homestead
from forced sale under any process of law, he or she may make
a statement, in writing, containing a description of the real
property, mobile home, or modular home claimed to be exempt
and declaring that the real property, mobile home, or modular
home is the homestead of the party in whose behalf such claim
is being made. Such statement must ~~shall~~ be signed and filed
in person with the clerk of the circuit court ~~by the person~~
~~making it and shall be recorded in the circuit court.~~

Section 2. This act shall take effect July 1, 1998.

SENATE SUMMARY

Provides that the owner of property who wishes to declare
property to be homestead property for purposes of
exemption from forced sale must file the statement in
person with the clerk of the circuit court.