

Bill No. CS for CS for SB 294

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
---------------	----------------	--------------

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

.
.
.
.
.
.

Senator Grant moved the following amendment:

Senate Amendment

On page 20, line 29, through
page 22, line 24, delete those lines,

and insert:

Section 16. Subsection (8) is added to section 55.604,
Florida Statutes, to read:

55.604 Recognition and enforcement.--Except as
provided in s. 55.605, a foreign judgment meeting the
requirements of s. 55.603 is conclusive between the parties to
the extent that it grants or denies recovery of a sum of
money. Procedures for recognition and enforceability of a
foreign judgment shall be as follows:

(8) A judgment lien on personal property is acquired
only when a judgment lien certificate satisfying the
requirements of s. 55.203 has been filed with the Department
of State.

Section 17. Section 56.09, Florida Statutes, is
amended to read:

Bill No. CS for CS for SB 294

Amendment No. ____

1 56.09 Executions against corporations and persons;
2 generally.--

3 (1) On any judgment against a corporation, plaintiff
4 may have a writ of an execution levied on the current money as
5 well as on the goods and chattels, lands and tenements of said
6 corporation.

7 (2) On any judgment against a person, a plaintiff may
8 have a writ of execution levied on the person's money in
9 excess of \$1,000. Such limitation on levy of execution does
10 not create an exemption, nor does it limit the availability of
11 any other exemption provided by law. For purposes of this
12 subsection only, the term "money" means cash, checks, money
13 orders, and the like. Nothing in this subsection authorizes
14 the physical search of a person.

15 Section 18. Section 56.21, Florida Statutes, is
16 amended to read:

17 56.21 Execution sales; notice.--Notice of all sales
18 under execution shall be given by advertisement once each week
19 for 4 successive weeks in a newspaper published in the county
20 in which the sale is to take place. The time of such notice
21 may be shortened in the discretion of the court from which the
22 execution issued, upon affidavit that the property to be sold
23 is subject to decay and will not sell for its full value if
24 held until date of sale. On or before the date of the first
25 publication or posting of the notice of sale, a copy of the
26 notice of sale shall be furnished by certified mail to the
27 attorney of record of the judgment debtor, or to the judgment
28 debtor at the judgment debtor's last known address if the
29 judgment debtor does not have an attorney of record. Such copy
30 of the notice of sale shall be mailed even though a default
31 judgment was entered. When levying upon personal property, a

Bill No. CS for CS for SB 294

Amendment No. ____

1 notice of such levy and execution sale and a copy of the
2 affidavit required by s. 56.27(4) shall be made by the levying
3 creditor to the attorney of record of the judgment creditor or
4 the judgment creditor who has filed a judgment lien
5 certificate as provided in s. 55.202 and to all secured
6 creditors who have filed financing statements as provided in
7 s. 679.402 in the name of the judgment debtor reflecting a

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31