

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Kyle offered the following:

Amendment to Amendment (635611) (with title amendment)

On page 23, between lines 18 and 19,

insert:

Section 21. Subsection (2) of section 319.27, Florida Statutes, is amended to read:

319.27 Notice of lien on motor vehicles or mobile homes; notation on certificate; recording of lien.--

(2) No lien for purchase money or as security for a debt in the form of a security agreement, retain title contract, conditional bill of sale, chattel mortgage, or other similar instrument or any other nonpossessory lien, including a lien for child support, upon a motor vehicle or mobile home upon which a Florida certificate of title has been issued shall be enforceable in any of the courts of this state against creditors or subsequent purchasers for a valuable consideration and without notice, unless a sworn notice of such lien has been filed in the department and such lien has been noted upon the certificate of title of the motor vehicle

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1 or mobile home. Such notice shall be effective as constructive
 2 notice when filed. No interest of a statutory nonpossessory
 3 lienor; the interest of a nonpossessory execution, attachment,
 4 or equitable lienor; or the interest of a lien creditor as
 5 defined in s. 679.301(3), if nonpossessory, shall be
 6 enforceable against creditors or subsequent purchasers for a
 7 valuable consideration unless such interest becomes a
 8 possessory lien or is noted upon the certificate of title for
 9 the subject motor vehicle or mobile home prior to the
 10 occurrence of the subsequent transaction. Provided the
 11 provisions of this subsection relating to a nonpossessory
 12 statutory lienor; a nonpossessory execution, attachment, or
 13 equitable lienor; or the interest of a lien creditor as
 14 defined in s. 679.301(3) shall not apply to liens validly
 15 perfected prior to October 1, 1988. The notice of lien shall
 16 provide the following information:

17 (a) The date of the lien if a security agreement,
 18 retain title contract, conditional bill of sale, chattel
 19 mortgage, or other similar instrument was executed prior to
 20 the filing of the notice of lien;

21 (b) The name and address of the registered owner;

22 (c) A description of the motor vehicle or mobile home,
 23 showing the make, type, and vehicle identification number; and

24 (d) The name and address of the lienholder.
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27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 41, line 24,
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31 after the semicolon insert:

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1 revising language with respect to certain liens
2 on motor vehicles;
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