

By Senator Geller

29-107-01

1 A bill to be entitled
2 An act relating to local government code
3 enforcement; amending s. 162.09, F.S.;
4 providing that money judgments on liens apply
5 to specified real and personal property;
6 providing an effective date.

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

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10 Section 1. Subsection (3) of section 162.09, Florida
11 Statutes, is amended to read:

12 162.09 Administrative fines; costs of repair; liens.--

13 (3) A certified copy of an order imposing a fine, or a
14 fine plus repair costs, may be recorded in the public records
15 and thereafter shall constitute a lien against the land on
16 which the violation exists and upon any other real or personal
17 property owned by the violator. Upon petition to the circuit
18 court, such order shall be enforceable in the same manner as a
19 court judgment by the sheriffs of this state, including
20 execution and levy against the personal property of the
21 violator, but such order shall not be deemed to be a court
22 judgment except for enforcement purposes. A fine imposed
23 pursuant to this part shall continue to accrue until the
24 violator comes into compliance or until judgment is rendered
25 in a suit filed pursuant to this section, whichever occurs
26 first. A lien arising from a fine imposed pursuant to this
27 section runs in favor of the local governing body, and the
28 local governing body may execute a satisfaction or release of
29 lien entered pursuant to this section. After 3 months from the
30 filing of any such lien which remains unpaid, the enforcement
31 board may authorize the local governing body attorney to

1 foreclose on the lien or to sue to recover a money judgment
2 for the amount of the lien plus accrued interest. No lien
3 created pursuant to the provisions of this part may be
4 foreclosed on real property which is a homestead under s. 4,
5 Art. X of the State Constitution. ~~The money judgment~~
6 ~~provisions of this section shall not apply to real property or~~
7 ~~personal property which is covered under s. 4(a), Art. X of~~
8 ~~the State Constitution.~~

9 Section 2. This act shall take effect upon becoming a
10 law.

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13 SENATE SUMMARY

14 Authorizes local government code enforcement board
15 attorneys to sue for money judgments on liens against
16 specified real and personal property.
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