

By Senator Burt

16-1417-01

1 A bill to be entitled
2 An act relating to judgments and liens;
3 amending s. 55.201, F.S.; conforming
4 terminology; amending s. 55.202, F.S.;
5 clarifying enforceable judgments subject to
6 law; amending s. 55.203, F.S.; providing for
7 electronic filing of liens, assessments,
8 warrants, and judgments directly into database;
9 amending s. 55.204, F.S.; clarifying content of
10 judgment lien certificates; conforming
11 terminology and clarifying filekeeping of
12 judgment lien files by the Department of State;
13 amending s. 55.205, F.S.; clarifying the effect
14 of judgment liens upon buyers who buy without
15 knowledge of such liens; amending s. 55.206,
16 F.S.; conforming terminology regarding
17 amendments of judgment lien files; amending s.
18 55.207, F.S.; conforming terminology regarding
19 correction of judgment lien files; amending s.
20 55.208, F.S.; conforming terminology regarding
21 effect of filed judgment liens on writs of
22 execution previously delivered to sheriffs;
23 amending s. 55.209, F.S.; clarifying provisions
24 regarding processing fees of judgment lien
25 filing; amending s. 55.604, F.S.; eliminating
26 requirement to file foreign judgments with the
27 Department of State; amending s. 55.605, F.S.;
28 eliminating requirements that the Secretary of
29 State maintain a list of foreign jurisdictions
30 recognizing judgments; amending s. 56.21, F.S.;
31 clarifying provisions regarding execution

1 sales; amending s. 56.27, F.S.; clarifying
2 provisions regarding execution and payments
3 thereunder; providing an effective date.
4

5 Be It Enacted by the Legislature of the State of Florida:
6

7 Section 1. Section 55.201, Florida Statutes, is
8 amended to read:

9 55.201 Central database of judgment liens on personal
10 property.--The Department of State shall maintain a database
11 of judgment lien files records established in accordance with
12 ss. 55.201-55.209.

13 Section 2. Section 55.202, Florida Statutes, is
14 amended to read:

15 55.202 Judgments, orders, and decrees; lien on
16 personal property.--

17 (1) A judgment lien securing the unpaid amount of any
18 money judgment may be acquired by the holder of a judgment
19 ~~entered by:~~

20 (a) Enforceable in this state under its laws or the
21 laws of the United States ~~A court of this state;~~

22 (b) ~~A court of the United States having jurisdiction~~
23 ~~in this state;~~

24 (c) ~~A court of the United States or any other state to~~
25 ~~the extent enforceable under the Florida Enforcement of~~
26 ~~Foreign Judgments Act, ss. 55.501-55.509;~~

27 (d) ~~A foreign state as defined in the Uniform~~
28 ~~Out-of-country Foreign Money-Judgment Recognition Act, ss.~~
29 ~~55.601-55.607, from the time and to the extent enforceable~~
30 ~~thereunder;~~

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1 **(b)(e)** Entered by an issuing tribunal with respect to
2 a support order being enforced in this state pursuant to
3 chapter 88; or

4 **(c)(f)** Enforceable by operation of law pursuant to s.
5 61.14(6).

6 (2) A judgment lien may be acquired on a ~~the~~ judgment
7 debtor's interest in all personal property in this state
8 subject to execution under s. 56.061 ~~in this state~~, other than
9 fixtures, money, negotiable instruments, and mortgages.

10 (a) A judgment lien is acquired by filing ~~recording~~ a
11 judgment lien certificate in accordance with s. 55.203 with
12 the Department of State after the judgment has become final
13 and if no stay of the judgment or its enforcement is then in
14 effect ~~at the time the certificate is filed~~.

15 (b) For any ~~tax lien, warrant, or~~ assessment, or
16 judgment collected by the Department of Revenue granted by law
17 ~~to the state or any of the political subdivisions for any tax~~
18 ~~enumerated in s. 72.011~~, a judgment lien is ~~may be~~ acquired by
19 filing a judgment lien certificate in accordance with s.
20 55.203 or by filing the lien, assessment, warrant, or judgment
21 directly into the central database by the Department of
22 Revenue through an electronic or information data exchange
23 program approved by ~~recording the lien or warrant with the~~
24 Department of State.

25 (c) A judgment lien is effective as of the date of
26 recording, but no lien attaches to property until the debtor
27 acquires an interest in the property.

28 (d) Except as provided in s. 55.204(3), a judgment
29 creditor may record only one effective judgment lien
30 certificate based upon a particular judgment.

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1 (3) Except as otherwise provided in s. 55.208, the
2 priority of a judgment lien acquired in accordance with this
3 section or s. 55.204(3) is established at the time of filing
4 ~~the judgment lien is recorded. Such judgment lien is deemed~~
5 ~~recorded as of its effective date as provided in this section~~
6 ~~or s. 55.204(3).~~

7 (4) As used in ss. 55.201-55.209, the terms "holder of
8 a judgment" and "judgment creditor" include the Department of
9 Revenue with respect to a judgment being enforced by the
10 Department of Revenue as the state IV-D agency.

11 (5) Liens, assessments, or judgments administered by
12 or secured on behalf of any state agency or political
13 subdivision of the state may be filed directly into the
14 central database by such agency or subdivision through
15 electronic or information data exchange programs approved by
16 the Department of State.

17 Section 3. Section 55.203, Florida Statutes, is
18 amended to read:

19 55.203 Judgment lien certificate; content, recording,
20 and indexing.--

21 (1) An original judgment lien certificate, ~~as provided~~
22 ~~in s. 55.202,~~ must include:

23 (a) The legal name of each judgment debtor and, if a
24 recorded legal entity, the registered name and document filing
25 number as shown in the records of the Department of State.

26 (b) The last known address and ~~social security number,~~
27 ~~federal identification number, or, in the instance in which~~
28 ~~the judgment creditor is a state agency or a political~~
29 ~~subdivision of the state, a taxpayer or other distinct~~
30 ~~identification number of each judgment debtor, except that in~~
31 ~~cases of default judgment, the social security number must be~~

1 ~~included only if known~~, or federal employer identification
2 number of each judgment debtor if shown on the judgment
3 itself.

4 (c) The legal name of the judgment creditor and, if a
5 recorded legal entity, the registered name and document filing
6 number as shown in the records of the Department of State, and
7 the name of the judgment creditor's attorney or duly
8 authorized representative, if any.

9 (d) The address ~~and social security number or federal~~
10 ~~employer identification number~~ of the judgment creditor.

11 (e) The identity of the court which entered the
12 judgment and the case number and the date the written judgment
13 was entered.

14 (f) The amount due on the money judgment and the
15 applicable interest rate.

16 (g) The signature of the judgment creditor or the
17 judgment creditor's attorney or duly authorized
18 representative.

19 (h) With respect to a lien acquired ~~created~~ by a
20 delivery of a writ of execution to a sheriff prior to October
21 1, 2001, an affidavit by the judgment creditor which attests
22 that the person or entity possesses any documentary evidence
23 of the date of delivery of the writ, and a statement of that
24 date or a certification by the sheriff of the date as provided
25 in s. 30.17(4).

26 (2) A second judgment lien certificate, as provided in
27 s. 55.204(3), must include the information required in
28 subsection (1) and must state the file number assigned to the
29 file record of the original judgment lien certificate, the
30 money amount remaining unpaid, and the interest accrued
31 thereon.

1 (3) An amendment, as provided in s. 55.206, or a
2 correction statement, as provided in s. 55.207, must state the
3 file number of the judgment lien file record to which the
4 amendment or correction statement relates and must state the
5 action, change, or statement to be added.

6 (4) The Department of State shall examine, for
7 compliance with ss. 55.201-55.209, each document submitted for
8 filing recording and shall accept or reject the document
9 accordingly. For each judgment lien certificate filed
10 ~~recorded~~, the department shall:

11 (a) Create a file record.

12 (b) Assign a unique file number to the record.

13 (c) Include the date and time of filing of the
14 judgment lien certificate.

15 (d) Maintain the file record in a database accessible
16 to the public via the Internet.

17 (e) Index the judgment lien certificate according to
18 the name of each judgment debtor.

19 (f) Index all subsequently filed documents relating to
20 an original judgment lien certificate in a manner that
21 associates them to the original judgment lien certificate.

22 (5) ~~The validity of A judgment lien certificate~~
23 substantially satisfying the requirements of this section is
24 effective even if it has minor errors or omissions that make
25 the financing statement recorded under this section may not be
26 defeated by technical or clerical errors made in good faith
27 ~~which are not seriously misleading, nor may any claim of~~
28 ~~estoppel be based on such errors.~~

29 (6) The Department of State shall prescribe mandatory
30 forms of all documents to be filed under this section.

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1 Section 4. Section 55.204, Florida Statutes, is
2 amended to read:

3 55.204 Duration and continuation of judgment lien;
4 destruction of records.--

5 (1) Except as provided in this section, a judgment
6 lien acquired under s. 55.202 lapses and becomes invalid 5
7 years after the date of filing ~~recording~~ the judgment lien
8 certificate.

9 (2) Liens securing the payment of child support or tax
10 obligations as set forth in s. 95.091(1)(b) shall not lapse
11 until 20 years after the date of the original filing of the
12 warrant or other document required by law to establish a lien.
13 No second lien based on the original filing may be obtained.

14 (3) At any time within 6 months before or 6 months
15 after the scheduled lapse of a judgment lien under subsection
16 (1), the judgment creditor may acquire a second judgment lien
17 by filing ~~recording~~ a new judgment lien certificate. The
18 effective date of the second judgment lien is becomes
19 ~~effective on the date of lapse of the original judgment lien~~
20 ~~or on the date of filing on which the judgment lien~~
21 ~~certificate is recorded, whichever is later. The second~~
22 ~~judgment lien is deemed recorded on its effective date. The~~
23 second judgment lien is ~~deemed~~ a new judgment lien and not a
24 continuation of the original judgment lien. The second
25 judgment lien permanently lapses and becomes invalid 5 years
26 after its filing ~~effective~~ date, and no additional liens based
27 on the original judgment or any judgment based on the original
28 judgment may be acquired ~~obtained~~.

29 (4) A judgment lien continues only as to itemized
30 property for an additional 90 days after lapse of the lien.
31 Such judgment lien will continue only if:

1 (a) The property had been itemized and its location
2 described with sufficient particularity in the instructions
3 for levy;

4 (b) The levy had been delivered to the sheriff prior
5 to the date of lapse of the lien to permit the sheriff to act;
6 and

7 (c) The property was located in the county in which
8 the sheriff has jurisdiction at the time of delivery of the
9 instruction for levy. Subsequent removal of the property does
10 not defeat the lien. A court may order continuation of the
11 lien beyond the 90-day period on a showing that extraordinary
12 circumstances have prevented levy.

13 (5) The date of lapse of a judgment lien whose
14 enforceability has been temporarily stayed or enjoined as a
15 result of any legal or equitable proceeding is tolled until 30
16 days after the stay or injunction is terminated.

17 (6) The Department of State shall maintain each
18 judgment lien file record and all information contained
19 therein for a minimum of 6 years after the effective date of a
20 judgment lien or a second judgment lien acquired in accordance
21 with ss. 55.201-55.209, whichever occurs later ~~1 year after~~
22 ~~the judgment lien lapses in accordance with this section.~~

23 Section 5. Section 55.205, Florida Statutes, is
24 amended to read:

25 55.205 Effect of judgment lien.--

26 (1) A valid judgment lien gives the judgment creditor
27 the right to proceed against ~~take possession of~~ the property
28 of the debtor ~~subject to levy~~ through writ of execution,
29 garnishment, or other judicial process. A judgment creditor
30 who has not acquired recorded a judgment lien as provided in
31 s. 55.202 ~~certificate in accordance with s. 55.203~~ or whose

1 lien has lapsed may nevertheless proceed against take
2 ~~possession of~~ the judgment debtor's property through ~~such~~
3 other judicial process. Such ~~A~~ judgment creditor proceeding by
4 writ of execution acquires ~~obtains~~ a lien as of the time of
5 levy and only on the property levied upon. Except as provided
6 in s. 55.208, such judgment creditor takes subject to the
7 claims and interest of priority judgment creditors.

8 (2) A buyer in the ordinary course of business as
9 defined in s. 671.201(9) takes free of a judgment lien
10 acquired as provided in s. 55.202 or s. 55.204 ~~created under~~
11 ~~this section~~ even though the buyer knows of its existence. A
12 valid security interest as defined in chapter 679 in
13 after-acquired property of the judgment debtor which is
14 perfected before the debtor acquires an interest in the
15 property prior to the effective date of a judgment lien takes
16 priority over the judgment lien on the after-acquired
17 property.

18 (3) An individual buyer of goods for personal, family,
19 or household use who buys the goods from a seller who held the
20 goods for personal, family, or household use, and who pays
21 value without knowledge that the goods are subject to a
22 judgment lien, is entitled, to the extent of the value paid,
23 to a lien on the goods superior to the judgment lien. If the
24 buyer has made improvements to the goods, or other reasons
25 justify doing so, a court may adjust the amount secured by the
26 lien as the equities may require.

27 (4) A buyer of stock in a corporation takes free of a
28 judgment lien hereunder if the buyer pays value in good faith
29 without knowledge of the judgment lien.

30 Section 6. Section 55.206, Florida Statutes, is
31 amended to read:

1 55.206 Amendment of judgment lien file ~~record~~;
2 termination, partial release, assignment, continuation,
3 tolling, correction.--

4 (1) An amendment to a judgment lien acquired as
5 provided under s. 55.202 may be filed ~~recorded~~ by or on behalf
6 of the judgment creditor of record, which may provide for:

7 (a) The termination, partial release, or assignment of
8 the judgment creditor's interest in a judgment lien;

9 (b) The continuation and termination of the
10 continuation of a judgment lien, as provided in s. 55.204(4);

11 (c) The tolling and termination of the tolling of a
12 lapse of a judgment lien, as provided in s. 55.204(5); or

13 (d) The correction or change of any other information
14 provided in the ~~record of a~~ judgment lien file.

15 (2) Within 30 days following receipt of a written
16 demand by a judgment debtor after the obligation underlying a
17 judgment lien has been fully or partially released, the
18 judgment lienholder must deliver to the judgment debtor a
19 written statement indicating that there is no longer a claim
20 for a lien on the personal property of the judgment debtor or
21 that the judgment lien has been partially released and setting
22 forth the value of the lien remaining unpaid as of the date of
23 the statement. A statement signed by an assignee must include
24 or be accompanied by a separate written acknowledgement of
25 assignment signed by or for the benefit of the judgment
26 creditor of record. If the judgment lienholder fails to
27 deliver such a statement within 30 days after proper written
28 demand therefor, the judgment lienholder is liable to the
29 judgment debtor for \$100, and for any actual or consequential
30 damages, including reasonable attorney's fees, caused by such
31 failure to the judgment debtor.

1 ~~(3)~~ The judgment debtor, the judgment creditor, or
2 assignee may file such statement with the Department of State.

3 Section 7. Section 55.207, Florida Statutes, is
4 amended to read:

5 55.207 Correction of judgment lien file record.--

6 (1) A person may file with the Department of State a
7 correction statement with respect to a judgment lien file
8 ~~record~~, as provided in s. 55.203, indexed under any the
9 person's name, if the person believes that the file record is
10 inaccurate or that the judgment lien certificate was
11 wrongfully filed.

12 (2) A correction statement must:

13 (a) State the judgment debtor named and the file
14 number assigned to the judgment lien file record to which the
15 correction statement relates;

16 (b) Indicate that it is a correction statement;

17 (c) Provide the basis for the person's belief that the
18 judgment lien certificate was wrongfully filed or the file
19 ~~record~~ is inaccurate; and

20 (d) Indicate the manner in which the person believes
21 the file record should be corrected to cure any inaccuracy.

22 (3) The department shall ensure that a correction
23 statement is indexed and available in the same manner as any
24 filed recorded lien certificate in the central database of
25 judgment lien files records.

26 (4) The filing of a correction statement does not
27 affect the effectiveness of the judgment lien or other filing
28 ~~filed record~~.

29 Section 8. Section 55.208, Florida Statutes, is
30 amended to read:

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1 55.208 Effect of filed ~~recorded~~ judgment lien on writs
2 of execution previously delivered to a sheriff.--

3 (1) Any lien created by a writ of execution which has
4 been delivered to the sheriff of any county before October 1,
5 2001, remains in effect for 2 years thereafter as to any
6 property of the judgment debtor located in that county before
7 October 1, 2001, and remaining within that county after that
8 date. As to any property of the judgment debtor brought into
9 the county on or after October 1, 2001, such writs create no
10 lien, inchoate or otherwise.

11 (2) If a judgment creditor who has delivered a writ of
12 execution to a sheriff in any county prior to October 1, 2001,
13 properly files a judgment lien certificate with the Department
14 of State by October 1, 2003, the resulting judgment lien is
15 deemed filed ~~recorded~~ on the date the writ was delivered to
16 the sheriff as to all ~~leviable~~ property of the judgment debtor
17 subject to execution in this state under s. 56.061 which is
18 located in that county on October 1, 2001, and that remains
19 continuously in that county thereafter. Priority of such
20 judgment liens is determined as of the effective date they are
21 considered to have been filed.As to all other property of the
22 judgment debtor, the effective date of the judgment lien is as
23 provided in s. 55.202. The duration of all judgment liens is
24 as provided in s. 55.204, ~~regardless of the date on which a~~
25 ~~lien is determined to have been recorded.~~

26 (3) If a judgment creditor who has delivered a writ of
27 execution to a sheriff in any county before October 1, 2001,
28 does not properly file ~~record~~ a judgment lien certificate with
29 the Department of State by October 1, 2003, such writ is
30 considered to have been abandoned and to be of no effect after
31 October 1, 2003.

1 Section 9. Section 55.209, Florida Statutes, is
2 amended to read:

3 55.209 Department of State; processing fees,
4 responsibilities.--

5 (1) Except for liens, assessments, warrants, or
6 judgments filed electronically ~~by a state agency or a~~
7 ~~political subdivision of the state~~, as provided in s.
8 55.202(2)~~s. 55.202(6)~~, the Department of State shall collect
9 the following nonrefundable processing fees for all documents
10 filed ~~or recorded~~ in accordance with ss. 55.201-55.209:

11 (a) For any judgment lien certificate or other
12 documents permitted to be filed, \$20.

13 (b) For the certification of any filed ~~recorded~~
14 document, \$10.

15 (c) For copies of judgment lien documents which are
16 produced by the Department of State, \$1 per page or part
17 thereof. However, no charge may be collected for copies
18 provided in an on-line electronic format via the Internet.

19 (d) For indexing a judgment lien by multiple judgment
20 debtor names, \$5 per additional name.

21 (e) For each additional facing page attached to a
22 judgment lien certificate or document permitted to be filed ~~or~~
23 ~~recorded~~, \$5.

24 (2) Unless otherwise provided by law, the Department
25 of State may not conduct any search of the database
26 established under s. 55.201 to determine the existence of any
27 judgment lien record or to perform any service other than in
28 connection with those services for which payment of services
29 are required under this section. The information maintained in
30 the database is for public notice purposes only and the
31 department may make no certification or determination of the

1 validity of any judgment lien acquired under ss. 55.202 and
2 55.204(3).

3 Section 10. Subsections (6) and (8) of section 55.604,
4 Florida Statutes, are amended to read:

5 55.604 Recognition and enforcement.--Except as
6 provided in s. 55.605, a foreign judgment meeting the
7 requirements of s. 55.603 is conclusive between the parties to
8 the extent that it grants or denies recovery of a sum of
9 money. Procedures for recognition and enforceability of a
10 foreign judgment shall be as follows:

11 (6) Once an order recognizing the foreign judgment has
12 been entered by a court of this state, the order and a copy of
13 the judgment ~~shall be filed with the Department of State and~~
14 may be recorded in any other county of this state without
15 further notice or proceedings, and shall be enforceable in the
16 same manner as the judgment of a court of this state.

17 (8) A judgment lien on personal property is acquired
18 only when a judgment lien certificate is filed in accordance
19 with s. 55.203 ~~satisfying the requirements of s. 55.203 has~~
20 ~~been recorded~~ with the Department of State.

21 Section 11. Section 55.605, Florida Statutes, is
22 amended to read:

23 55.605 Grounds for nonrecognition.--

24 (1) A foreign judgment is not conclusive if:

25 (a) The judgment was rendered under a system which
26 does not provide impartial tribunals or procedures compatible
27 with the requirements of due process of law.

28 (b) The foreign court did not have personal
29 jurisdiction over the defendant.

30 (c) The foreign court did not have jurisdiction over
31 the subject matter.

1 (2) A foreign judgment need not be recognized if:
2 (a) The defendant in the proceedings in the foreign
3 court did not receive notice of the proceedings in sufficient
4 time to enable him or her to defend.
5 (b) The judgment was obtained by fraud.
6 (c) The cause of action or claim for relief on which
7 the judgment is based is repugnant to the public policy of
8 this state.
9 (d) The judgment conflicts with another final and
10 conclusive order.
11 (e) The proceeding in the foreign court was contrary
12 to an agreement between the parties under which the dispute in
13 question was to be settled otherwise than by proceedings in
14 that court.
15 (f) In the case of jurisdiction based only on personal
16 service, the foreign court was a seriously inconvenient forum
17 for the trial of the action.
18 (g) The foreign jurisdiction where judgment was
19 rendered would not give recognition to a similar judgment
20 rendered in this state. ~~For purposes of this paragraph, the~~
21 ~~Secretary of State shall establish and maintain a list of~~
22 ~~foreign jurisdictions where the condition specified in this~~
23 ~~paragraph has been found to apply.~~
24 Section 12. Section 56.21, Florida Statutes, is
25 amended to read:
26 56.21 Execution sales; notice.--Notice of all sales
27 under execution shall be given by advertisement once each week
28 for 4 successive weeks in a newspaper published in the county
29 in which the sale is to take place. The time of such notice
30 may be shortened in the discretion of the court from which the
31 execution issued, upon affidavit that the property to be sold

1 is subject to decay and will not sell for its full value if
2 held until date of sale. On or before the date of the first
3 publication or posting of the notice of sale, a copy of the
4 notice of sale shall be furnished by certified mail to the
5 attorney of record of the judgment debtor, or to the judgment
6 debtor at the judgment debtor's last known address if the
7 judgment debtor does not have an attorney of record. Such copy
8 of the notice of sale shall be mailed even though a default
9 judgment was entered. When levying upon personal property, a
10 notice of such levy and execution sale and a copy of the
11 affidavit required by s. 56.27(4) shall be made by the levying
12 creditor to the attorney of record of the judgment creditor or
13 the judgment creditor who has acquired a judgment lien
14 ~~recorded a judgment lien certificate~~ as provided in s. 55.202
15 or s. 55.204(3) at the address listed in the judgment lien
16 certificate, or, if amended, in any amendment to the judgment
17 lien certificate, and to all secured creditors who have filed
18 financing statements as provided in s. 679.401 in the name of
19 the judgment debtor reflecting a security interest in property
20 of the kind to be sold at the execution sale at the address
21 listed in the financing statement, or, if amended, in any
22 amendment to the financing statement. Such notice shall be
23 made in the same manner as notice is made to any judgment
24 debtor under this section. When levying upon real property,
25 notice of such levy and execution sale shall be made to the
26 property owner of record in the same manner as notice is made
27 to any judgment debtor pursuant to this section. When selling
28 real or personal property, the sale date shall not be earlier
29 than 30 days after the date of the first advertisement.

30 Section 13. Subsections (1) and (2) of section 56.27,
31 Florida Statutes, are amended to read:

1 56.27 Executions; payment of money collected.--
2 (1) All money received under executions shall be paid,
3 in the order prescribed, to the following: the sheriff, for
4 costs; the levying creditor in the amount of \$500 as
5 liquidated expenses; and the priority lienholder under s.
6 55.202, s. 55.204(3), or s. 55.208(2)~~judgment lienholder~~
7 ~~having the earliest recorded judgment lien acquired under ss.~~
8 ~~55.202 and 55.204(3)~~, as set forth in an affidavit required by
9 subsection (4), or his or her attorney, in satisfaction of the
10 judgment lien, provided that the judgment lien has not lapsed
11 at the time of the levy. The receipt of the attorney shall be
12 a release of the officer paying the money to him or her. When
13 the name of more than one attorney appears in the court file,
14 the money shall be paid to the attorney who originally
15 commenced the action or who made the original defense unless
16 the file shows that another attorney has been substituted.
17 (2) When property sold under execution brings more
18 than the amount needed to satisfy the provisions of subsection
19 (1), the surplus shall be paid in the order of priority to any
20 judgment lienholders whose judgment liens have not lapsed.
21 Priority shall be based on the effective date of the judgment
22 lien acquired under s. 55.202, ~~or~~ s. 55.204(3), or s.
23 55.208(2), as set forth in an affidavit required under
24 subsection (4). If there is a surplus after all valid judgment
25 liens and execution liens have been satisfied, the surplus
26 must be paid to the defendant.
27 Section 14. This act shall take effect October 1,
28 2001.
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SENATE SUMMARY

Revises provisions of law concerning judgment liens on personal property to include reference to filed, rather than recorded, liens. Provides for other technical revisions to the law governing judgment liens on personal property to provide for consistency. (See bill for details.)