

Bill No. CS for SB 178

Amendment No. 1 Barcode 634198

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Finance and Taxation recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsections (1), (2), (3), and (4) of section 55.10, Florida Statutes, are amended to read:

55.10 Judgments, orders, and decrees; lien of all, generally; extension of liens; transfer of liens to other security.--

(1) A judgment, order, or decree becomes a lien on real property ~~estate~~ in any county when a certified copy of it is recorded in the official records or judgment lien record of the county, whichever is maintained at the time of recordation, ~~and it shall be a lien for a period of 7 years from the date of the recording~~ provided that the judgment, order, or decree contains the address of the person who has a lien as a result of such judgment, order, or decree or a separate affidavit is recorded simultaneously with the

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1 judgment, order, or decree stating the address of the person
2 who has a lien as a result of such judgment, order, or decree.
3 A judgment, order, or decree does not become a lien on real
4 property ~~estate~~ unless the address of the person who has a
5 lien as a result of such judgment, order, or decree is
6 contained in the judgment, order, or decree or an affidavit
7 with such address is simultaneously recorded with the
8 judgment, order, or decree. If the certified copy was first
9 recorded in a county in accordance with this subsection
10 between July 1, 1987, and June 30, 1994, then the judgment,
11 order, or decree shall be a lien in that county for an initial
12 period of 7 years from the date of the recording. If the
13 certified copy is first recorded in accordance with this
14 subsection on or after July 1, 1994, then the judgment, order,
15 or decree shall be a lien in that county for an initial period
16 of 10 years from the date of the recording.

17 (2) The lien provided for in subsection (1) or an
18 extension of that lien as provided by this subsection may be
19 extended for an additional period of 10 years, subject to the
20 limitation in subsection (3), by rerecording a certified copy
21 of the judgment, order, or decree prior to the expiration of
22 the lien or the expiration of the extended lien ~~provided for~~
23 ~~in subsection (1)~~ and by simultaneously recording an affidavit
24 with the current address of the person who has a lien as a
25 result of the judgment, order, or decree. The extension ~~one~~
26 ~~additional period of 10 years~~ shall be effective from the date
27 the certified copy of the judgment, order, or decree is
28 rerecorded. The lien or extended lien will not be extended
29 unless the affidavit with the current address is
30 simultaneously recorded.

31 (3) In no event shall the lien upon real property

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1 created by this section be extended beyond the period provided
2 for in s. 55.081 or beyond the point at which the lien is
3 satisfied, whichever occurs first.

4 (4) ~~Except as otherwise provided in this subsection,~~
5 This act shall apply to all judgments, orders, and decrees of
6 record which constitute a lien on real property; except that
7 ~~immediately prior to the effective date of this act.~~any
8 judgment, order, or decree recorded prior to July 1, 1987,
9 ~~shall be unaffected by the changes in this act and shall~~
10 remain a lien on real property until the period provided for
11 in s. 55.081 expires or until the lien is satisfied, whichever
12 occurs first.

13 Section 2. This act shall take effect July 1, 2001.

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16 ===== T I T L E A M E N D M E N T =====

17 And the title is amended as follows:

18 Delete everything before the enacting clause

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20 and insert:

21 A bill to be entitled
22 An act relating to duration of real property
23 liens; amending s. 55.10, F.S.; revising the
24 period of duration of certain liens; providing
25 an effective date.

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