

By the Committee on Judicial Oversight and Representative
Crow

1 A bill to be entitled
2 An act relating to duration of real property
3 liens; amending s. 55.10, F.S.; revising the
4 period of duration of certain liens; providing
5 an effective date.

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

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

11 55.10 Judgments, orders, and decrees; lien of all,
12 generally; extension of liens; transfer of liens to other
13 security.--

14 (1) A judgment, order, or decree becomes a lien on
15 real property estate in any county when a certified copy of it
16 is recorded in the official records or judgment lien record of
17 the county, whichever is maintained at the time of
18 recordation, ~~and it shall be a lien for a period of 7 years~~
19 ~~from the date of the recording~~ provided that the judgment,
20 order, or decree contains the address of the person who has a
21 lien as a result of such judgment, order, or decree or a
22 separate affidavit is recorded simultaneously with the
23 judgment, order, or decree stating the address of the person
24 who has a lien as a result of such judgment, order, or decree.
25 A judgment, order, or decree does not become a lien on real
26 property estate unless the address of the person who has a
27 lien as a result of such judgment, order, or decree is
28 contained in the judgment, order, or decree or an affidavit
29 with such address is simultaneously recorded with the
30 judgment, order, or decree. If the certified copy is first
31 recorded in a county in accordance with this subsection

1 between July 1, 1987, and June 30, 1994, then the judgment,
2 order, or decree shall be a lien in that county for an initial
3 period of 7 years from the date of the recording. If the
4 certified copy is first recorded in accordance with this
5 subsection on or after July 1, 1994, then the judgment, order,
6 or decree shall be a lien in that county for an initial period
7 of 10 years from the date of the recording.

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

22 (3) In no event shall the lien upon real property
23 created by this section be extended beyond the period provided
24 for in s. 55.081, or beyond when the lien is satisfied,
25 whichever occurs first.

26 (4) ~~Except as otherwise provided in this subsection,~~
27 This section ~~act~~ shall apply to all judgments, orders, and
28 decrees of record which constitute a lien on real property;
29 except that immediately prior to the effective date of this
30 ~~act~~ any judgment, order, or decree recorded prior to July 1,
31 1987, shall be unaffected by the changes in this act and shall

1 remain a lien on real property until the period provided for
2 in s. 55.081 expires or until the lien is satisfied, whichever
3 occurs first.

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

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HOUSE SUMMARY

9 Provides that if a certified copy of a judgment, order,
10 or decree which is a lien on real property is first
11 recorded in a county pursuant to law between July 1,
12 1987, and June 30, 1994, then the judgment, order, or
13 decree shall be a lien in that county for a period of 7
years from the date of its recording and if the certified
copy is first recorded on or after July 1, 1994, then the
judgment, order, or decree shall be a lien in that county
for an initial period of 10 years from the date of its
recording. See bill for details.

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