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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/26/2008	.	
	.	
	.	

1 The Committee on Finance and Tax (Storms) recommended the
 2 following **amendment**:

Senate Amendment (with title amendment)

5 Delete lines 24 through 41
6 and insert:

7
 8 this section by electronic means. Such electronic sales shall
 9 comply with the procedures provided in this chapter, except that
 10 electronic proxy bidding shall be allowed and the clerk may
 11 require bidders to advance sufficient funds to pay the deposit
 12 required by subsection (3). The clerk shall provide access to the
 13 electronic sale by computer terminals that are open to the public
 14 at a designated location, and shall accept an advance credit
 15 proxy bid from the plaintiff of any amount up to the maximum
 16 allowable credit bid of the plaintiff. A clerk who conducts such



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17 electronic sales may receive electronic deposits and payments
18 related to the sale.

19 Section 2. Subsection (3) is added to section 45.035,
20 Florida Statutes, to read:

21 45.035 Clerk's fees.--In addition to other fees or service
22 charges authorized by law, the clerk shall receive service
23 charges related to the judicial sales procedure set forth in ss.
24 45.031-45.034 and this section:

25 (3) If the sale is conducted by electronic means as
26 provided in s. 45.031(10), the clerk shall receive an additional
27 service charge of \$40 for services in conducting or contracting
28 for the electronic sale, which service charge shall be assessed
29 as costs and shall be advanced by the plaintiff before the sale.
30 If the clerk requires advance electronic deposits to secure the
31 right to bid, such deposits are not subject to the fee under s.
32 28.24(10). The portion of an advance deposit from a winning
33 bidder required by s. 45.031(3) shall, upon acceptance of the
34 winning bid, be subject to the fee under s. 28.24(10).

35
36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:

38
39 Delete lines 5 through 10
40 and insert:

41
42 with specified procedures; providing exceptions;
43 requiring clerks to provide public access terminals for
44 electronic sales; permitting clerks to receive electronic
45 payments and deposits related to electronic sales;
46 amending s. 45.035, F.S.; providing a service charge to



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47 | be received by clerks for sales conducted by electronic
48 | means under a specified provision; providing an exception
49 | to the fee for monies in the registry of the court;