

1 A bill to be entitled
 2 An act relating to judicial sales; amending s. 45.031,
 3 F.S.; permitting certain sales to be conducted by
 4 electronic means; requiring electronic sales to comply
 5 with specified procedures; requiring clerks to provide
 6 public access terminals for electronic sales; permitting
 7 clerks to receive electronic payments and deposits related
 8 to electronic sales; amending s. 45.035, F.S.; providing a
 9 service charge to be received by clerks for sales
 10 conducted by electronic means under a specified provision;
 11 providing an effective date.

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

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 15 Section 1. Subsection (10) is added to section 45.031,
 16 Florida Statutes, to read:

17 45.031 Judicial sales procedure.--In any sale of real or
 18 personal property under an order or judgment, the procedures
 19 provided in this section and ss. 45.0315-45.035 may be followed
 20 as an alternative to any other sale procedure if so ordered by
 21 the court.

22 (10) ELECTRONIC SALES.--The clerk may conduct the sale of
 23 real or personal property under an order or judgment pursuant to
 24 this section by electronic means. Such electronic sales shall
 25 comply with the procedures provided in this chapter. The clerk
 26 shall provide access to the electronic sale by computer
 27 terminals open to the public at a designated location. A clerk

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28 who conducts such electronic sales may receive electronic
29 deposits and payments related to the property sale.

30 Section 2. Subsection (1) of section 45.035, Florida
31 Statutes, is amended to read:

32 45.035 Clerk's fees.--In addition to other fees or service
33 charges authorized by law, the clerk shall receive service
34 charges related to the judicial sales procedure set forth in ss.
35 45.031-45.034 and this section:

36 (1) The clerk shall receive a service charge of \$60 for
37 services in making, recording, and certifying the sale and
38 title, which service charge shall be assessed as costs and shall
39 be advanced by the plaintiff before the sale; however, if the
40 sale is to be conducted by electronic means as authorized in s.
41 45.031(10), the fee shall be \$100.

42 Section 3. This act shall take effect July 1, 2008.