



876852

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/07/2010	.	
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	.	
	.	

The Committee on Banking and Insurance (Fasano) recommended the following:

Senate Amendment (with title amendment)

Delete line 110
and insert:
~~or color in contrast to the surrounding text of the same size;~~

Between lines 189 and 190
insert:

Section 3. Paragraph (d) of subsection (16) of section
668.50, Florida Statutes, is amended to read:

668.50 Uniform Electronic Transaction Act.—

(16) TRANSFERABLE RECORDS.—

(d) Except as otherwise agreed, a person having control of



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13 a transferable record is the holder, as defined in s.
14 671.201(21), of the transferable record and has the same rights
15 and defenses as a holder of an equivalent record or writing
16 under the Uniform Commercial Code, including, if the applicable
17 statutory requirements under s. 673.3021, s. 677.501, or s.
18 679.330 ~~679.308~~ are satisfied, the rights and defenses of a
19 holder in due course, a holder to which a negotiable document of
20 title has been duly negotiated, or a purchaser, respectively.
21 Delivery, possession, and indorsement are not required to obtain
22 or exercise any of the rights under this paragraph.

23 Section 4. Subsection (5) of section 671.304, Florida
24 Statutes, is amended to read:

25 671.304 Laws not repealed; precedence where code provisions
26 in conflict with other laws; certain statutory remedies
27 retained.—

28 (5) The effectiveness of any financing statement or
29 continuation statement filed before ~~prior to~~ January 1, 1980, or
30 any continuation statement filed on or after October 1, 1984,
31 which states that the debtor is a transmitting utility as
32 provided in s. 679.515(6) continues ~~679.403(6) shall continue~~
33 until a termination statement is filed, except that if this act
34 requires a filing in an office where there was no previous
35 financing statement, a new financing statement conforming to s.
36 680.109(4), Florida Statutes 1979, shall be filed in that
37 office.

38 Delete lines 303 - 304

39 and insert:

40 objects, and, except as otherwise provided in chapter 679,
41 receipt by the bailee of notification



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42 Delete line 430
43 and insert:
44 of the item or possession or control of the accompanying or
45 associated

46 Delete lines 509 - 510

47 and insert:

48 677.103 Relation of chapter to treaty, statute, ~~tariff,~~
49 classification, or regulation.-

50 Delete lines 718 - 719

51 and insert:

52 case of loss or damage, and setting forth a specific liability
53 per article or item, or value per unit of weight, or any other
54 negotiated limitation of damages as agreed between the parties
55 beyond which

56 Delete line 758

57 and insert:

58 the document of title, including nonnegotiable warehouse
59 receipt, or, if a ~~no~~ period is not fixed, within a

60 Delete lines 913 - 927

61 and insert:

62 (b) The notification must be delivered in person or sent by
63 registered or certified letter to the last known address of any
64 person to be notified.

65 (c) The notification must include an itemized statement of
66 the claim, a description of the goods subject to the lien, a
67 demand for payment within a specified time not less than 10 days
68 after receipt of the notification, and a conspicuous statement
69 that unless the claim is paid within that time the goods will be
70 advertised for sale and sold by auction at a specified time and



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71 place.

72 (d) The sale must conform to the terms of the notification.

73 (e) The sale must be held at the nearest suitable place to
74 ~~that~~ where the goods are held or stored.

75 (f) After the expiration of the time given in the
76

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

78 And the title is amended as follows:

79 Delete line 9

80 and insert:

81 Laws; amending ss. 668.50 and 671.304, F.S.;
82 correcting cross-references; amending ss. 671.201,
83 672.103, 672.104, 674.104,