



350736

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2011	.	
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The Committee on Judiciary (Richter) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 695.28, Florida Statutes, is created to
read:

695.28 Validity of recorded electronic documents.-

(1) A document that is otherwise entitled to be recorded
and that was or is submitted to the clerk of the court or county
recorder by electronic means and accepted for recordation is
deemed validly recorded and provides notice to all persons
notwithstanding:

(a) That the document was received and accepted for



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14 recordation before the Department of State adopted standards
15 implementing s. 695.27; or

16 (b) Any defects in, deviations from, or the inability to
17 demonstrate strict compliance with any statute, rule, or
18 procedure to submit or record an electronic document in effect
19 at the time the electronic document was submitted for recording.

20 (2) This section does not alter the duty of the clerk or
21 recorder to comply with s. 695.27 or rules adopted pursuant to
22 that section.

23 Section 2. This act is intended to clarify existing law and
24 applies prospectively and retroactively.

25 Section 3. This act shall take effect upon becoming a law.

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

29 And the title is amended as follows:

30 Delete everything before the enacting clause
31 and insert:

32 A bill to be entitled

33 An act relating to the recording of real property
34 documents; creating s. 695.28, F.S.; establishing that certain
35 electronic documents accepted for recordation are validly
36 recorded; providing legislative intent; providing for
37 prospective and retroactive application; providing an effective
38 date.

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