

ENROLLED
HB 951

2011 Legislature

1 A bill to be entitled
2 An act relating to the recording of real property
3 documents; creating s. 695.28, F.S.; establishing that
4 certain electronic documents accepted for recordation are
5 validly recorded; providing legislative intent; providing
6 for prospective and retroactive application; providing an
7 effective date.

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

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

13 695.28 Validity of recorded electronic documents.—

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

19 (a) That the document was received and accepted for
20 recordation before the Department of State adopted standards
21 implementing s. 695.27; or

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

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

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29 Section 2. This act is intended to clarify existing law
30 and applies prospectively and retroactively.

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