

By Senator Ring

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1 A bill to be entitled
 2 An act relating to real property; amending s. 695.01,
 3 F.S.; providing that a conveyance, transfer, or
 4 mortgage of real property, an interest in the real
 5 property, or a lease for a term of 1 year or longer is
 6 not valid against creditors or subsequent purchasers
 7 unless such documents are recorded in the official
 8 records; providing that a lien imposed on real
 9 property by a governmental or quasi-governmental
 10 entity for certain purposes is not valid against
 11 creditors or subsequent purchasers unless the lien is
 12 recorded and contains certain information; providing
 13 an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 695.01, Florida Statutes, is amended to
 18 read:

19 695.01 Conveyances, mortgages, and liens to be recorded.—

20 (1) A ~~Ne~~ conveyance, transfer, or mortgage of real
 21 property, an or of any interest in the real property therein, or
 22 a nor any lease for a term of 1 year or longer is not valid,
 23 ~~shall be good and effectual~~ in law or equity against creditors
 24 or subsequent purchasers for a valuable consideration and
 25 without notice, unless the conveyance, transfer, mortgage,
 26 interest, or lease is same be recorded in the official records
 27 of the county in which the property is located. according to
 28 ~~law; nor shall~~ Any such instrument made or executed by virtue of
 29 a any power of attorney is not valid ~~be good or effectual~~ in law

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30 or in equity against creditors or subsequent purchasers for a
31 valuable consideration and without notice unless the power of
32 attorney ~~is~~ be recorded in the official records of the county in
33 which the property is located before the rights accruing of the
34 right of creditors such creditor or subsequent purchasers accrue
35 purchaser. The receipt of title under a quitclaim deed alone
36 does not disqualify the grantee as a bona fide purchaser without
37 notice within the meaning of the recording acts.

38 (2) A lien by a governmental entity or quasi-governmental
39 entity which attaches to real property for an improvement,
40 service, fine, or penalty is valid and effectual against
41 creditors and subsequent purchasers for a valuable consideration
42 only if the lien is recorded in the official records of the
43 county in which the property is located. The recorded notice of
44 lien must contain the name of the owner of record, a legally
45 sufficient legal description of the property, and the tax or
46 parcel identification number applicable to the property as of
47 the date of assessment. Grantees by quitclaim, heretofore or
48 hereafter made, shall be deemed and held to be bona fide
49 purchasers without notice within the meaning of the recording
50 acts.

51 Section 2. This act shall take effect July 1, 2012.