



946316

LEGISLATIVE ACTION

Senate	.	House
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The Committee on Judiciary (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 77 - 89  
and insert:

Section 4. Subsection (5) of section 56.27, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

56.27 Executions; payment of money collected.—

(5) A sheriff may rely upon the affidavit submitted as required by this section, and a sheriff paying money received under an execution in accordance with the information contained in the affidavit under subsection (4) is not liable to anyone for damages arising from a wrongful levy or wrongful



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14 distribution of funds.

15 (6) Nothing in this section shall preclude a sheriff who is  
16 uncertain as to whom to disburse the proceeds of the levy sale  
17 from applying for instructions from the court that entered the  
18 judgment that is the basis of the judgment lien or the  
19 appropriate court where the property subject to the levy was  
20 located at the time of the levy, provided the sheriff serves by  
21 process permitted under chapter 48, Florida Statutes, or  
22 certified mail, return receipt requested, a copy of any such  
23 application and notice of hearing on the levying creditor,  
24 judgment debtor, and any other parties identified in the  
25 affidavit.

26  
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete lines 16 - 21

30 and insert:

31 relating to service on a corporation; amending s.  
32 56.27, F.S.; providing that a sheriff may rely on the  
33 affidavit submitted by the levying creditor; providing  
34 that the sheriff may apply for instructions from the  
35 court regarding the distribution of proceeds from a  
36 levy sale;