

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Mayfield offered the following:

3
 4 **Amendment (with title amendment)**

5 Remove lines 76-88 and insert:

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

9 56.27 Executions; payment of money collected.—

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

16 (6) Nothing in this section shall preclude a sheriff who
 17 is uncertain as to whom to disburse the proceeds of the levy
 18 sale from applying for instructions from the court that entered
 19 the judgment that is the basis of the judgment lien or the
 20 appropriate court where the property subject to the levy was

Amendment No. 2

21 located at the time of the levy, provided the sheriff serves by
22 process permitted under chapter 48, Florida Statutes, or
23 certified mail, return receipt requested, a copy of any such
24 application and notice of hearing on the levying creditor,
25 judgment debtor, and any other parties identified in the
26 affidavit.

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

Remove lines 16-21 and insert:

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