

By Senator Brandes

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2013322

1 A bill to be entitled

2 An act relating to eminent domain proceedings;
3 amending s. 74.051, F.S.; revising the distribution of
4 interest on certain deposits held by clerks of court
5 in eminent domain proceedings; providing an effective
6 date.

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

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10 Section 1. Subsection (4) of section 74.051, Florida
11 Statutes, is amended to read:

12 74.051 Hearing on order of taking.—

13 (4) The court may fix the time within which and the terms
14 upon which the defendants shall be required to surrender
15 possession to the petitioner, which time of possession shall be
16 upon deposit for those defendants failing to file a request for
17 hearing as provided herein. The order of taking shall not become
18 effective unless the deposit of the required sum is made in the
19 registry of the court. If the deposit is not made within 20 days
20 from the date of the order of taking, the order shall be void
21 and of no further effect. The clerk is authorized to invest such
22 deposits so as to earn the highest interest obtainable under the
23 circumstances in state or national financial institutions in
24 Florida insured by the Federal Government. Ninety percent of the
25 interest earned shall be apportioned in accordance with the
26 ultimate ownership in the deposit ~~paid to the petitioner.~~

27 Section 2. This act shall take effect July 1, 2013.