

Amendment No. 1

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 WITHDRAWN _____ (Y/N)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: Appropriations Committee
 2 Representative Clemons offered the following:

Amendment (with title amendment)

Remove lines 36-44 and insert:

6 (c) After completing the process set forth in paragraphs
 7 (3) (a) and (b), and prior to reporting and remitting the
 8 remaining surplus to the Department of Financial Services, the
 9 owner of record, a subordinate lienholder, an assignee who is an
 10 assignee by virtue of an involuntary transfer of assignment as
 11 described in s. 45.033(2) (b), or a voluntary assignee that has
 12 complied with s. 45.033(3) (a) and (e), may claim the remaining
 13 surplus. The person asserting entitlement shall petition and
 14 obtain a court order directing the clerk to disburse the funds.
 15 Any surplus remaining with the clerk of the court that has not
 16 been disbursed as provided herein is subject to s. 717.113 and

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17 must be reported and remitted to the department in accordance
18 with ss. 717.117 and 717.119, provided there is no pending court
19 proceeding regarding entitlement to the surplus. At the
20 conclusion of any court proceeding and any appeal regarding
21 entitlement to the surplus, the clerk of the court shall report
22 and remit the unclaimed property to the department if directed
23 by a court order, to another entity if directed by the court
24 order, or, if not directed by the court order, in the name of
25 the owner of record. For purposes of establishing entitlement to
26 the surplus after the property has been remitted to the
27 department, only the owner of record reported by the clerk of
28 the court, or the beneficiary, as defined in s. 731.201, of a
29 deceased owner of record reported by the clerk, is entitled to
30 the surplus. A surplus of less than \$10 escheats to ~~If no claim~~
31 is

32
33 -----
34 **T I T L E A M E N D M E N T**

35 Remove lines 7-11 and insert:

36 "surplus trustee"; authorizing specified entities to claim
37 surplus funds that remain after a judicial sale; specifying
38 procedures for those entities to receive such funds;
39 specifying procedures for the clerk to use in handling
40 surpluses that remain unclaimed; specifying the entities
41 eligible for the surplus once the funds have been remitted

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 681 (2017)

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42 | to the Department of Financial Services; conforming
43 | provisions to