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LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. The Division of Law Revision and Information is
directed to:

(1) Create part I of chapter 117, Florida Statutes,
consisting of ss. 117.01-117.108, Florida Statutes, to be
entitled "General Provisions."

(2) Create part II of chapter 117, Florida Statutes,



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11 consisting of ss. 117.201-117.305, Florida Statutes, to be
12 entitled "Online Notarizations."

13 Section 2. Subsection (1) of section 117.01, Florida
14 Statutes, is amended to read:

15 117.01 Appointment, application, suspension, revocation,
16 application fee, bond, and oath.—

17 (1) The Governor may appoint as many notaries public as he
18 or she deems necessary, each of whom must ~~shall~~ be at least 18
19 years of age and a legal resident of this ~~the~~ state. A permanent
20 resident alien may apply and be appointed and shall file with
21 his or her application a recorded Declaration of Domicile. The
22 residence required for appointment must be maintained throughout
23 the term of appointment. A notary public ~~Notaries public~~ shall
24 be appointed for 4 years and may only ~~shall~~ use and exercise the
25 office of notary public if he or she is within the boundaries of
26 this state. An applicant must be able to read, write, and
27 understand the English language.

28 Section 3. Present subsections (4) and (5) of section
29 117.021, Florida Statutes, are renumbered as subsections (5) and
30 (6), respectively, a new subsection (4) and subsection (7) are
31 added to that section, and subsection (2) and present subsection
32 (5) of that section are amended, to read:

33 117.021 Electronic notarization.—

34 (2) In performing an electronic notarial act, a notary
35 public shall use an electronic signature that is:

36 (a) Unique to the notary public;

37 (b) Capable of independent verification;

38 (c) Retained under the notary public's sole control and
39 includes access protection through the use of passwords or codes



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40 under control of the notary public; and

41 (d) Attached to or logically associated with the electronic
42 document in a manner that any subsequent alteration to the
43 electronic document displays evidence of the alteration.

44 (4) A person may not require a notary public to perform a
45 notarial act with respect to an electronic record with a form of
46 technology that the notary public has not selected to use.

47 (6) ~~(5)~~ The Department of State, in collaboration with the
48 Agency for State Technology, may adopt rules to ensure the
49 security, reliability, and uniformity of signatures and seals
50 authorized in this section.

51 (7) The Department of State, in collaboration with the
52 Agency for State Technology, shall adopt rules establishing
53 standards for tamper-evident technologies that will indicate any
54 alteration or change to an electronic record after completion of
55 an electronic notarial act and shall publish a list of
56 technologies that satisfy those standards and are approved for
57 use in electronic notarizations, effective January 1, 2019. All
58 electronic notarizations performed on or after January 1, 2019,
59 must comply with the adopted standards and use an approved
60 technology.

61 Section 4. Subsection (1), paragraph (a) of subsection (2),
62 subsections (4) and (5), paragraph (a) of subsection (12), and
63 subsections (13) and (14) of section 117.05, Florida Statutes,
64 are amended, and paragraph (c) is added to subsection (12) of
65 that section, to read:

66 117.05 Use of notary commission; unlawful use; notary fee;
67 seal; duties; employer liability; name change; advertising;
68 photocopies; penalties.-



69 (1) A ~~No~~ person may not shall obtain or use a notary public
70 commission in other than his or her legal name, and it is
71 unlawful for a notary public to notarize his or her own
72 signature. Any person applying for a notary public commission
73 must submit proof of identity to the Department of State if so
74 requested. Any person who violates ~~the provisions of~~ this
75 subsection commits is guilty of a felony of the third degree,
76 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

77 (2) (a) The fee of a notary public may not exceed \$10 for
78 any one notarial act, except as provided in s. 117.045 or s.
79 117.275.

80 (4) When notarizing a signature, a notary public shall
81 complete a jurat or notarial certificate in substantially the
82 same form as those found in subsection (13). The jurat or
83 certificate of acknowledgment shall contain the following
84 elements:

85 (a) The venue stating the location of the notary public at
86 the time of the notarization in the format, "State of Florida,
87 County of"

88 (b) The type of notarial act performed, an oath or an
89 acknowledgment, evidenced by the words "sworn" or
90 "acknowledged."

91 (c) That the signer personally appeared before the notary
92 public at the time of the notarization either by physical
93 presence or by means of audio-video communication technology as
94 authorized under part II of this chapter.

95 (d) The exact date of the notarial act.

96 (e) The name of the person whose signature is being
97 notarized. It is presumed, absent such specific notation by the



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98 notary public, that notarization is to all signatures.

99 (f) The specific type of identification the notary public
100 is relying upon in identifying the signer, either based on
101 personal knowledge or satisfactory evidence specified in
102 subsection (5).

103 (g) The notary's official signature.

104 (h) The notary's name, typed, printed, or stamped below the
105 signature.

106 (i) The notary's official seal affixed below or to either
107 side of the notary's signature.

108 (5) A notary public may not notarize a signature on a
109 document unless he or she personally knows, or has satisfactory
110 evidence, that the person whose signature is to be notarized is
111 the individual who is described in and who is executing the
112 instrument. A notary public shall certify in the certificate of
113 acknowledgment or jurat the type of identification, either based
114 on personal knowledge or other form of identification, upon
115 which the notary public is relying. In the case of an online
116 notarization, the online notary public shall comply with the
117 requirements set forth in part II of this chapter.

118 (a) For purposes of this subsection, the term "personally
119 knows" means having an acquaintance, derived from association
120 with the individual, which establishes the individual's identity
121 with at least a reasonable certainty.

122 (b) For the purposes of this subsection, the term
123 "satisfactory evidence" means the absence of any information,
124 evidence, or other circumstances which would lead a reasonable
125 person to believe that the person whose signature is to be
126 notarized is not the person he or she claims to be and any one



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127 of the following:

128 1. The sworn written statement of one credible witness
129 personally known to the notary public or the sworn written
130 statement of two credible witnesses whose identities are proven
131 to the notary public upon the presentation of satisfactory
132 evidence that each of the following is true:

133 a. That the person whose signature is to be notarized is
134 the person named in the document;

135 b. That the person whose signature is to be notarized is
136 personally known to the witnesses;

137 c. That it is the reasonable belief of the witnesses that
138 the circumstances of the person whose signature is to be
139 notarized are such that it would be very difficult or impossible
140 for that person to obtain another acceptable form of
141 identification;

142 d. That it is the reasonable belief of the witnesses that
143 the person whose signature is to be notarized does not possess
144 any of the identification documents specified in subparagraph
145 2.; and

146 e. That the witnesses do not have a financial interest in
147 nor are parties to the underlying transaction; or

148 2. Reasonable reliance on the presentation to the notary
149 public of any one of the following forms of identification, if
150 the document is current or has been issued within the past 5
151 years and bears a serial or other identifying number:

152 a. A Florida identification card or driver license issued
153 by the public agency authorized to issue driver licenses;

154 b. A passport issued by the Department of State of the
155 United States;



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156 c. A passport issued by a foreign government if the
157 document is stamped by the United States Bureau of Citizenship
158 and Immigration Services;

159 d. A driver license or an identification card issued by a
160 public agency authorized to issue driver licenses in a state
161 other than Florida, a territory of the United States, or Canada
162 or Mexico;

163 e. An identification card issued by any branch of the armed
164 forces of the United States;

165 f. A veteran health identification card issued by the
166 United States Department of Veterans Affairs;

167 g. An inmate identification card issued on or after January
168 1, 1991, by the Florida Department of Corrections for an inmate
169 who is in the custody of the department;

170 h. An inmate identification card issued by the United
171 States Department of Justice, Bureau of Prisons, for an inmate
172 who is in the custody of the department;

173 i. A sworn, written statement from a sworn law enforcement
174 officer that the forms of identification for an inmate in an
175 institution of confinement were confiscated upon confinement and
176 that the person named in the document is the person whose
177 signature is to be notarized; or

178 j. An identification card issued by the United States
179 Bureau of Citizenship and Immigration Services.

180 (12) (a) A notary public may supervise the making of a copy
181 of a tangible or an electronic record or a printout of an
182 electronic record, ~~photocopy of an original document~~ and attest
183 to the trueness of the copy or of the printout, provided the
184 document is neither a vital record in this state, another state,



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185 a territory of the United States, or another country, nor a
186 public record, if a copy can be made by the custodian of the
187 public record.

188 (c) A notary public must use a certificate in substantially
189 the following form in notarizing a copy of a tangible or an
190 electronic record or a printout of an electronic record:

191
192 STATE OF FLORIDA

193 COUNTY OF

194
195 On this day of, ...(year)..., I attest that the
196 preceding or attached document is a true, exact, complete, and
197 unaltered ...(copy of a tangible or an electronic record
198 presented to me by the document's custodian)... or a
199 ...(printout made by me from an electronic record presented to
200 me by the document's custodian).... At the time of printing, no
201 security features, if any, present on the electronic record,
202 indicated that the record had been altered since execution.

203
204 ...(Signature of Notary Public - State of Florida)...
205 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...
206

207 (13) The following notarial certificates are sufficient for
208 the purposes indicated, if completed with the information
209 required by this chapter. The specification of forms under this
210 subsection does not preclude the use of other forms.

211 (a) For an oath or affirmation:

212
213 STATE OF FLORIDA



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214 COUNTY OF

215

216 Sworn to (or affirmed) and subscribed before me by means of
217 [] physical presence or [] online notarization, this day of
218, ... (year) ..., by ... (name of person making
219 statement)....

220

221 ... (Signature of Notary Public - State of Florida)...

222 ... (Print, Type, or Stamp Commissioned Name of Notary Public)...

223 Personally Known OR Produced Identification

224

225 Type of Identification Produced.....

226

227 (b) For an acknowledgment in an individual capacity:

228

229 STATE OF FLORIDA

230 COUNTY OF

231

232 The foregoing instrument was acknowledged before me by means of
233 [] physical presence or [] online notarization, this day of
234, ... (year) ..., by ... (name of person acknowledging)....

235

236 ... (Signature of Notary Public - State of Florida)...

237 ... (Print, Type, or Stamp Commissioned Name of Notary Public)...

238 Personally Known OR Produced Identification

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240 Type of Identification Produced.....

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242 (c) For an acknowledgment in a representative capacity:



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STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me by means of
[] physical presence or [] online notarization, this day of
....., ...(year)..., by ...(name of person)... as ...(type of
authority, . . . e.g. officer, trustee, attorney in fact)... for
...(name of party on behalf of whom instrument was executed)....

...(Signature of Notary Public - State of Florida)...
...(Print, Type, or Stamp Commissioned Name of Notary Public)...
Personally Known OR Produced Identification
.....
Type of Identification Produced.....

(14) A notary public must make reasonable accommodations to
provide notarial services to persons with disabilities.

(a) A notary public may notarize the signature of a person
who is blind after the notary public has read the entire
instrument to that person.

(b) A notary public may notarize the signature of a person
who signs with a mark if:

1. The document signing is witnessed by two disinterested
persons;

2. The notary public prints the person's first name at the
beginning of the designated signature line and the person's last
name at the end of the designated signature line; and

3. The notary public prints the words "his (or her) mark"



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272 below the person's signature mark.

273 (c) The following notarial certificates are sufficient for
274 the purpose of notarizing for a person who signs with a mark:

275 1. For an oath or affirmation:

276
277 ... (First Name)... ... (Last Name)...
278 ... His (or Her) Mark...

279
280 STATE OF FLORIDA
281 COUNTY OF

282
283 Sworn to and subscribed before me by means of [] physical
284 presence or [] online notarization, this day of,
285 ...(year)..., by ...(name of person making statement)..., who
286 signed with a mark in the presence of these witnesses:

287
288 ... (Signature of Notary Public - State of Florida)...
289 ... (Print, Type, or Stamp Commissioned Name of Notary Public)...

290 Personally Known OR Produced Identification

291
292 Type of Identification Produced.....

293
294 2. For an acknowledgment in an individual capacity:

295
296 ... (First Name)... ... (Last Name)...
297 ... His (or Her) Mark...

298
299 STATE OF FLORIDA
300 COUNTY OF



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The foregoing instrument was acknowledged before me by means of
[] physical appearance or [] online notarization, this day
of, ... (year) ..., by ... (name of person
acknowledging) ..., who signed with a mark in the presence of
these witnesses:

... (Signature of Notary Public - State of Florida) ...
... (Print, Type, or Stamp Commissioned Name of Notary Public) ...
Personally Known OR Produced Identification
.....
Type of Identification Produced.....

(d) A notary public may sign the name of a person whose
signature is to be notarized when that person is physically
unable to sign or make a signature mark on a document if:

1. The person with a disability directs the notary public
to sign in his or her presence;
2. The document signing is witnessed by two disinterested
persons;
3. The notary public writes below the signature the
following statement: "Signature affixed by notary, pursuant to
s. 117.05(14), Florida Statutes," and states the circumstances
of the signing in the notarial certificate.

(e) The following notarial certificates are sufficient for
the purpose of notarizing for a person with a disability who
directs the notary public to sign his or her name:

1. For an oath or affirmation:



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330 STATE OF FLORIDA
331 COUNTY OF

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333 Sworn to (or affirmed) before me by means of [] physical
334 presence or [] online notarization, this day of,
335 ...(year)..., by ...(name of person making statement)..., and
336 subscribed by ...(name of notary)... at the direction of ~~and in~~
337 ~~the presence of~~ ...(name of person making statement)..., and in
338 the presence of these witnesses:

339

340 ...(Signature of Notary Public - State of Florida)...
341 ...(Print, Type, or Stamp Commissioned Name of Notary Public)...
342 Personally Known OR Produced Identification
343
344 Type of Identification Produced.....

345

346 2. For an acknowledgment in an individual capacity:

347

348 STATE OF FLORIDA
349 COUNTY OF

350

351 The foregoing instrument was acknowledged before me by means of
352 [] physical presence or [] online notarization, this day of
353, ...(year)..., by ...(name of person acknowledging)...
354 and subscribed by ...(name of notary)... at the direction of ~~and~~
355 ~~in the presence of~~ ...(name of person acknowledging)..., and in
356 the presence of these witnesses:

357

358 ...(Signature of Notary Public - State of Florida)...



359 ... (Print, Type, or Stamp Commissioned Name of Notary Public)...
360 Personally Known OR Produced Identification
361

362 Type of Identification Produced.....
363

364 Section 5. Subsections (2) and (9) of section 117.107,
365 Florida Statutes, are amended to read:

366 117.107 Prohibited acts.—

367 (2) A notary public may not sign notarial certificates
368 using a facsimile signature stamp unless the notary public has a
369 physical disability that limits or prohibits his or her ability
370 to make a written signature and unless the notary public has
371 first submitted written notice to the Department of State with
372 an exemplar of the facsimile signature stamp. This subsection
373 does not apply to or prohibit the use of an electronic signature
374 and seal by a notary public performing an electronic or online
375 notarization in accordance with this chapter.

376 (9) A notary public may not notarize a signature on a
377 document if the person whose signature is being notarized does
378 not appear before the notary public either by means of physical
379 presence or by means of audio-video communication technology as
380 authorized under part II of this chapter ~~is not in the presence~~
381 ~~of the notary public~~ at the time the signature is notarized. Any
382 notary public who violates this subsection is guilty of a civil
383 infraction, punishable by penalty not exceeding \$5,000, and such
384 violation constitutes malfeasance and misfeasance in the conduct
385 of official duties. It is no defense to the civil infraction
386 specified in this subsection that the notary public acted
387 without intent to defraud. A notary public who violates this



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388 subsection with the intent to defraud is guilty of violating s.
389 117.105.

390 Section 6. Section 117.201, Florida Statutes, is created to
391 read:

392 117.201 Definitions.—As used in this part, the term:

393 (1) "Appear before," "before," "appear personally before,"
394 or "in the presence of" mean:

395 (a) In the same physical location as another person and
396 close enough to see, hear, communicate with, and exchange
397 credentials with that person; or

398 (b) In a different physical location from another person,
399 but able to see, hear, and communicate with the person by means
400 of audio-video communication technology.

401 (2) "Audio-video communication technology" means technology
402 meeting the requirements of this part and of any rules adopted
403 hereunder which enables real-time, two-way communication using
404 electronic means in which participants are able to see, hear,
405 and communicate with one another.

406 (3) "Credential analysis" means a process or service
407 meeting the requirements of this part and of any rules adopted
408 hereunder through which a third party affirms the validity of a
409 government-issued identity credential or data thereon through
410 review of public or proprietary data sources.

411 (4) "Errors and omissions insurance" means a type of
412 insurance that provides coverage for potential errors or
413 omissions in or relating to the notarial act.

414 (5) "Government-issued identity credential" means any
415 approved credential for verifying identity under s.
416 117.05(5)(b)2.



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417 (6) "Identity proofing" means a process or service meeting
418 the requirements of this part and of any rules adopted hereunder
419 through which a third party affirms the identity of an
420 individual through use of public or proprietary data sources,
421 which may include by means of knowledge-based authentication or
422 biometric verification.

423 (7) "Knowledge-based authentication" means a form of
424 identity proofing based on a set of questions formulated from
425 public and proprietary data sources for which the principal has
426 not provided a previous answer.

427 (8) "Online notarization" means the performance of an
428 electronic notarization by means of audio-video communication
429 technology and which meets the requirements of this chapter and
430 of any rules adopted hereunder.

431 (9) "Online notary public" means a notary public who has
432 registered with the Executive Office of the Governor to perform
433 online notarizations under this part, a civil-law notary
434 appointed under chapter 118, or a commissioner of deeds
435 appointed under part IV of chapter 721.

436 (10) "Principal" means an individual whose electronic
437 signature is acknowledged, witnessed, or attested to in an
438 online notarization or who takes an oath or affirmation from the
439 online notary public.

440 (11) "Remote presentation" means transmission of an image
441 of a government-issued identity credential that is of sufficient
442 quality to enable the online notary public to identify the
443 individual seeking the notary's services and to perform
444 credential analysis through audio-video communication
445 technology.



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Except where the context otherwise requires, any term defined in s. 668.50 has the same meaning when used in this part.

Section 7. Section 117.209, Florida Statutes, is created to read:

117.209 Authority to perform online notarizations.—

(1) An online notary public may perform any of the functions authorized under part I of this chapter as an online notarization, excluding solemnizing the rites of matrimony.

(2) If a notarial act requires a principal to appear before or in the presence of the online notary public, the principal may appear before the online notary public by means of audio-video communication technology that meets the requirements of this chapter and any rules adopted by the Executive Office of the Governor under s. 117.295.

(3) An online notary public may perform a notarial act as an online notarization as authorized under this chapter, regardless of the physical location of the principal at the time of the notarial act, provided the notary public is physically located in this state while performing the online notarization.

(4) The validity of an online notarization performed by an online notary public appointed in this state shall be determined by applicable laws of this state regardless of the physical location of the principal at the time of the notarial act.

Section 8. Section 117.215, Florida Statutes, is created to read:

117.215 Relation to other laws.—

(1) If a provision of law requires a notary public or other authorized official of this state to notarize a signature or a



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475 statement, to take an acknowledgement of an instrument, or to
476 administer an oath or affirmation so that a document may be
477 sworn, made under oath, or subject to penalty of perjury, an
478 online notarization performed in accordance with the provisions
479 of this part and any rules adopted hereunder satisfies such
480 requirement.

481 (2) If a provision of law requires a signature or an act to
482 be witnessed, compliance with the online electronic witnessing
483 standards prescribed in s. 117.285 and any rules adopted
484 thereunder satisfies that requirement.

485 Section 9. Section 117.225, Florida Statutes, is created to
486 read:

487 117.225 Registration; qualifications.—A notary public may
488 apply to be registered as an online notary public with the
489 Executive Office of the Governor by:

490 (1) Satisfying the qualification requirements for
491 appointment as a notary public under part I of this chapter or
492 the qualifications for appointment as a commissioner of deeds
493 under part IV of chapter 721.

494 (2) Certifying that the notary public has completed a live
495 or online course covering the duties, obligations, and
496 technology requirements for serving as an online notary public.

497 (3) Paying an online notary public application fee in the
498 amount of \$25.

499 (4) Submitting a registration as an online notary public to
500 the Executive Office of the Governor, signed and sworn to by the
501 applicant.

502 (5) Identifying the audio-video communication technology
503 and identity proofing methods that the online notary public



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504 intends to use in performing online notarizations. If the
505 Department of State and the Agency for State Technology have
506 established standards for approval of technology pursuant to
507 this part, the technology and methods selected by the online
508 notary must be in conformance with such standards. If a form of
509 technology conforms to the standards, the Department of State
510 and the Agency for State Technology must approve the use of the
511 technology. If the Department of State and the Agency for State
512 Technology have not yet established such standards, the online
513 notary public must identify technologies that are consistent
514 with the requirements of s. 117.295(2).

515 (6) Providing evidence satisfactory to the Executive Office
516 of the Governor that the notary public has obtained a bond,
517 payable to any individual harmed as a result of a breach of duty
518 by the online notary public acting in his or her official
519 capacity, conditioned for the due discharge of the office, in
520 the minimum amount of \$25,000 and on such terms as are specified
521 by rule by the Department of State as reasonably necessary to
522 protect the public. The bond shall be approved and filed with
523 the Department of State and executed by a surety company duly
524 authorized to transact business in this state. Compliance by the
525 notary public with this requirement shall satisfy the
526 requirement of obtaining a bond under s. 117.01(7).

527 (7) Providing evidence satisfactory to the Executive Office
528 of the Governor that the notary public is covered by an errors
529 and omissions insurance policy from an insurer authorized to
530 transact business in this state, in the minimum amount of \$1
531 million and on such terms as are specified by rule by the
532 Department of State as reasonably necessary to protect the



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533 public.

534 Section 10. Section 117.235, Florida Statutes, is created
535 to read:

536 117.235 Performance of notarial acts.-

537 (1) An online notary public is subject to part I to the
538 same extent as a notary public appointed and commissioned only
539 under that part, including the provisions of s. 117.021 relating
540 to electronic notarizations.

541 (2) An online notary public may perform notarial acts as
542 provided by part I in addition to performing online
543 notarizations as authorized and pursuant to the provisions of
544 this part.

545 Section 11. Section 117.245, Florida Statutes, is created
546 to read:

547 117.245 Electronic journal of online notarizations.-

548 (1) An online notary public shall keep a secure electronic
549 journal of electronic records notarized by the online notary
550 public. For each online notarization, the electronic journal
551 entry must contain all of the following:

552 (a) The date and time of the notarization.

553 (b) The type of notarial act.

554 (c) The type, the title, or a description of the electronic
555 record or proceeding.

556 (d) The printed name and address of each principal involved
557 in the transaction or proceeding.

558 (e) Evidence of identity of each principal involved in the
559 transaction or proceeding in the form of:

560 1. A statement that the person is personally known to the
561 online notary public;



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562 2. A notation of the type of government-issued identity
563 credential provided to the online notary public;
564 3. A copy of the government-issued identity credential
565 provided; and
566 4. A copy of any other identity credential or information
567 provided.
568 (f) An indication that the principal satisfactorily passed
569 the identity proofing.
570 (g) An indication that the government-issued identity
571 credential satisfied the credential analysis.
572 (h) A recording of the audio-video communication in which:
573 1. The principal and any witnesses appeared before the
574 notary public.
575 2. The identity of each was confirmed.
576 3. Electronic records were signed by the principal and any
577 witnesses.
578 4. The notarial act was performed.
579 (i) The fee, if any, charged for the notarization.
580 (2) The online notary public shall take reasonable steps
581 to:
582 (a) Ensure the integrity, security, and authenticity of
583 online notarizations.
584 (b) Maintain a backup record of the electronic journal
585 required by subsection (1).
586 (c) Protect the electronic journal, the backup record, and
587 any other records received by the online notary public from
588 unauthorized access or use.
589 (3) The electronic journal required by subsection (1) shall
590 be maintained by the online notary public, or a custodian acting



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591 on his or her behalf, for at least 10 years after the date of
592 the notarial act.

593 (4) An omitted or incomplete entry in the electronic
594 journal does not impair the validity of the notarial act or of
595 the electronic record notarized, but may be introduced as
596 evidence to establish violations of this chapter; as an
597 indication of possible fraud, forgery, or impersonation; or for
598 other evidentiary purposes.

599 Section 12. Section 117.255, Florida Statutes, is created
600 to read:

601 117.255 Use of electronic journal, signature, and seal.—An
602 online notary public shall:

603 (1) Take reasonable steps to ensure that any registered
604 device used to create an electronic signature is current and has
605 not been revoked or terminated by the device's issuing or
606 registering authority.

607 (2) Keep his or her electronic journal, electronic
608 signature, and electronic seal secure and under his or her sole
609 control, which includes control in the form of access protection
610 using passwords or codes under control of the online notary
611 public. The online notary public may not allow another person to
612 use or access his or her electronic journal, electronic
613 signature, or electronic seal.

614 (3) Only use an electronic signature for performing online
615 notarization.

616 (4) Attach or logically associate the online notary
617 public's electronic signature and seal to the electronic
618 notarial certificate of an electronic record in a manner that is
619 capable of independent verification using tamper-evident



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620 technology that renders any subsequent change or modification to
621 the electronic record evident.

622 (5) Immediately notify an appropriate law enforcement
623 agency and the Executive Office of the Governor of theft or
624 vandalism of his or her electronic journal, electronic
625 signature, or electronic seal. An online notary public shall
626 immediately notify the Executive Office of the Governor of the
627 loss or use by another person of the online notary public's
628 electronic journal, electronic signature, or electronic seal.

629 (6) Make electronic copies, upon request, of the pertinent
630 entries in the electronic journal and provide access to the
631 related audio-video communication technology recordings to the
632 parties to the electronic records notarized, and to the title
633 agent, settlement agent, or title insurer who engaged the online
634 notary with regard to a real estate transaction. The online
635 notary public may charge a reasonable fee for making and
636 delivering electronic copies of a given series of related
637 electronic records. The online notary public shall disclose the
638 amount of such fee to the requester before making the electronic
639 copies.

640 Section 13. Section 117.265, Florida Statutes, is created
641 to read:

642 117.265 Online notarization procedures.-

643 (1) An online notary public physically located in this
644 state may perform an online notarization that meets the
645 requirements of this part regardless of whether the principal or
646 any witnesses are physically located in this state at the time
647 of the online notarization. An online notarial act performed in
648 accordance with this part is deemed to have been performed



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649 within this state and is governed by the applicable laws of this
650 state.

651 (2) In performing an online notarization, an online notary
652 public shall confirm the identity of a principal at the time
653 that the signature is taken by using audio-video communication
654 technology and processes that meet the requirements of this part
655 and of any rules adopted hereunder and record the entire two-way
656 audio-video conference session between the notary public and the
657 principal and any witnesses. A principal may not act in the
658 capacity of a witness for his or her own signature in an online
659 notarization.

660 (3) In performing an online notarization of a principal not
661 located within this state, an online notary public must confirm
662 that the principal desires for the notarial act to be performed
663 by a Florida notary public and governed by the applicable laws
664 of this state.

665 (4) An online notary public shall confirm the identity of
666 the principal or any witness by:

667 (a) The online notary public's personal knowledge of each
668 such individual; or

669 (b) All of the following, as the same may be refined or
670 supplemented in rules adopted pursuant to s. 117.295:

671 1. Remote presentation of a government-issued identity
672 credential by each individual;

673 2. Credential analysis of each government-issued identity
674 credential; and

675 3. Identity proofing of each individual which meets the
676 requirements of this part and of any rules adopted hereunder.

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678 If the online notary public is unable to satisfy subparagraphs
679 (b)1.-3., or if the databases consulted for identity proofing do
680 not contain sufficient information to permit authentication, the
681 online notary public may not perform the online notarization.

682 (5) The online notary public shall take reasonable steps to
683 ensure that the audio-video communication technology used in an
684 online notarization is secure from unauthorized interception.

685 (6) The electronic notarial certificate for an online
686 notarization must include a notation that the notarization is an
687 online notarization.

688 (7) Except as expressly modified in this part, the
689 requirements of part I of this chapter apply to an online
690 notarization and an online notary public.

691 (8) Any failure to comply with the procedures set forth in
692 this section does not impair the validity of the notarial act or
693 the electronic record that was notarized, but may be introduced
694 as evidence to establish violations of this chapter; as an
695 indication of possible fraud, forgery, or impersonation; or for
696 other evidentiary purposes. This subsection may not be construed
697 to alter the duty of an online notary public to comply with this
698 chapter and any rules adopted hereunder.

699 Section 14. Section 117.275, Florida Statutes, is created
700 to read:

701 117.275 Fees for online notarization.—An online notary
702 public or the online notary public's employer may charge a fee,
703 not to exceed \$25, for performing an online notarization in
704 addition to any other fees authorized under part I of this
705 chapter. Fees for services other than the provision of notarial
706 acts are not governed by this section.



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707 Section 15. Section 117.285, Florida Statutes, is created
708 to read:

709 117.285 Witnessing of online notarization.—An online notary
710 public may supervise the witnessing of electronic records by the
711 same audio-video communication technology used for online
712 notarization, as follows:

713 (1) The identity of each witness must be verified in the
714 same manner as the identity of the principal.

715 (2) The witness may physically be present with the
716 principal or remote from the principal provided the witness and
717 principal are using audio-video communication technology.

718 (3) The witness is present in either physical proximity to
719 the principal or through audio-video communication technology at
720 the time the principal affixes the electronic signature and
721 hears the principal make a statement to the effect that the
722 principal has signed the electronic record.

723 Section 16. Section 117.295, Florida Statutes, is created
724 to read:

725 117.295 Standards for electronic and online notarization;
726 rulemaking authority.—

727 (1) The Legislature intends that the standards applicable
728 to electronic notarization under s. 117.021 and for online
729 notarization under this part reflect future improvements in
730 technology and methods of assuring the identity of principals
731 and the security of an electronic record. The Department of
732 State, in collaboration with the Agency for State Technology,
733 may adopt rules and standards necessary to implement the
734 requirements of this chapter and such other rules and standards
735 as may be required to facilitate the integrity, security, and



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736 reliability of online notarization, including the minimum
737 amounts of and required terms of bonds and errors and omissions
738 insurance to be held by an online notary public; education
739 requirements for online notaries public; standards regarding
740 identity proofing, credential analysis, unauthorized
741 interception, remote presentation, tamper-evident technology,
742 and audio-video communication technology; and may publish lists
743 of technologies that satisfy the standards and are approved for
744 use in online notarizations.

745 (2) Until the Department of State adopts applicable rules,
746 identity proofing, credential analysis, unauthorized
747 interception, remote presentation, tamper-evident technology,
748 and audio-video communication technology shall be governed by
749 the following minimum standards:

750 (a) Identity proofing by means of knowledge-based
751 authentication shall have, at a minimum, the following security
752 characteristics:

753 1. The principal must be presented with five or more
754 questions with a minimum of five possible answer choices per
755 question.

756 2. Each question must be drawn from a third-party provider
757 of public and proprietary data sources and be identifiable to
758 the principal's social security number or other identification
759 information, or the principal's identity and historical events
760 records.

761 3. Responses to all questions must be made within a 2-
762 minute time constraint.

763 4. The principal must answer a minimum of 80 percent of the
764 questions correctly.



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765 5. The principal may be offered one additional attempt in
766 the event of a failed attempt.

767 6. During the second attempt, the principal may not be
768 presented with more than three questions from the prior attempt.

769 (b) Credential analysis must confirm that the credential is
770 valid and matches the signer's claimed identity using one or
771 more automated processes which scan the credential, including
772 its format features, data, barcodes, or other security features.

773 (c) Tamper-evident technology requirements are deemed
774 satisfied by use of technology that renders any subsequent
775 change or modification to the electronic record evident.

776 (d) Audio-video communication technology used in completing
777 online notarizations must meet the following requirements:

778 1. The signal transmission must be secure from
779 interception, access, or viewing by anyone other than the
780 participants communicating.

781 2. The technology must provide sufficient audio clarity and
782 video resolution to enable the notary to communicate with the
783 principal and to confirm the identity of the principal using
784 identification methods described in s. 117.265.

785
786 An online notary public is not responsible for the security of
787 the systems used by the principal or others to access the online
788 notarization session.

789 Section 17. Section 117.305, Florida Statutes, is created
790 to read:

791 117.305 Relation to federal law.—This part supersedes the
792 Electronic Signatures in Global and National Commerce Act as
793 authorized under 15 U.S.C. s. 7002, but does not modify, limit,



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794 or supersede the requirements set forth in 15 U.S.C. s. 7001(c)
795 or authorize the electronic delivery of any order, notice, or
796 document described in 15 U.S.C. s. 7003(b).

797 Section 18. Present paragraph (h) of subsection (3) of
798 section 28.222, Florida Statutes, is redesignated as paragraph
799 (i), and a new paragraph (h) is added to that subsection, to
800 read:

801 28.222 Clerk to be county recorder.—

802 (3) The clerk of the circuit court shall record the
803 following kinds of instruments presented to him or her for
804 recording, upon payment of the service charges prescribed by
805 law:

806 (h) Copies of any instruments originally created and
807 executed using an electronic signature, as defined in s. 695.27,
808 and certified to be a true and correct paper printout by a
809 notary public in accordance with chapter 117, if the county
810 recorder is not prepared to accept electronic documents for
811 recording electronically.

812 Section 19. Subsection (1) of section 95.231, Florida
813 Statutes, is amended to read:

814 95.231 Limitations where deed or will on record.—

815 (1) Five years after the recording of an instrument
816 required to be executed in accordance with s. 689.01; 5 years
817 after the recording of a power of attorney accompanying and used
818 for an instrument required to be executed in accordance with s.
819 689.01; or 5 years after the probate of a will purporting to
820 convey real property, from which it appears that the person
821 owning the property attempted to convey, affect, or devise it,
822 the instrument, power of attorney, or will shall be held to have



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823 its purported effect to convey, affect, or devise, the title to
824 the real property of the person signing the instrument, as if
825 there had been no lack of seal or seals, witness or witnesses,
826 defect in, failure of, or absence of acknowledgment or
827 relinquishment of dower, in the absence of fraud, adverse
828 possession, or pending litigation. The instrument is admissible
829 in evidence. A power of attorney validated under this subsection
830 shall be valid only for the purpose of effectuating the
831 instrument with which it was recorded.

832 Section 20. Section 689.01, Florida Statutes, is amended to
833 read:

834 689.01 How real estate conveyed.—

835 (1) No estate or interest of freehold, or for a term of
836 more than 1 year, or any uncertain interest of, in or out of any
837 messuages, lands, tenements or hereditaments shall be created,
838 made, granted, transferred or released in any other manner than
839 by instrument in writing, signed in the presence of two
840 subscribing witnesses by the party creating, making, granting,
841 conveying, transferring or releasing such estate, interest, or
842 term of more than 1 year, or by the party's lawfully authorized
843 agent, unless by will and testament, or other testamentary
844 appointment, duly made according to law; and no estate or
845 interest, either of freehold, or of term of more than 1 year, or
846 any uncertain interest of, in, to, or out of any messuages,
847 lands, tenements or hereditaments, shall be assigned or
848 surrendered unless it be by instrument signed in the presence of
849 two subscribing witnesses by the party so assigning or
850 surrendering, or by the party's lawfully authorized agent, or by
851 the act and operation of law. No seal shall be necessary to give



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852 validity to any instrument executed in conformity with this
853 section. Corporations may execute any and all conveyances in
854 accordance with the provisions of this section or ss. 692.01 and
855 692.02.

856 (2) For purposes of this chapter:

857 (a) Any requirement that an instrument be signed in the
858 presence of two subscribing witnesses may be satisfied by
859 witnesses being present and electronically signing by means of
860 audio-video communication technology that meets the requirements
861 of part II of chapter 117 and any rules adopted thereunder.

862 (b) The act of witnessing an electronic signature is
863 satisfied if a witness is present either in physical proximity
864 to the principal or by audio-video communication technology at
865 the time the principal affixes his or her electronic signature
866 and hears the principal make a statement acknowledging that the
867 principal has signed the electronic record.

868 (3) All acts of witnessing heretofore made or taken
869 pursuant to subsection (2) are validated and, upon recording,
870 may not be denied to have provided constructive notice based on
871 any alleged failure to have strictly complied with this section,
872 as currently or previously in effect, or the laws governing
873 notarization of instruments, including online notarization, in
874 this state.

875 Section 21. Section 694.08, Florida Statutes, is amended to
876 read:

877 694.08 Certain instruments validated, notwithstanding lack
878 of seals or witnesses, or defect in acknowledgment, ~~etc.~~—

879 (1) Whenever any power of attorney has been executed and
880 delivered, or any conveyance has been executed and delivered to



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881 any grantee by the person owning the land therein described, or
882 conveying the same in an official or representative capacity,
883 and has, for a period of 7 years or more been spread upon the
884 records of the county wherein the land therein described has
885 been or was at the time situated, and one or more subsequent
886 conveyances of said land or parts thereof have been made,
887 executed, delivered and recorded by parties claiming under such
888 instrument or instruments, and such power of attorney or
889 conveyance, or the public record thereof, shows upon its face a
890 clear purpose and intent of the person executing the same to
891 authorize the conveyance of said land or to convey the said
892 land, the same shall be taken and held by all the courts of this
893 state, in the absence of any showing of fraud, adverse
894 possession, or pending litigation, to have authorized the
895 conveyance of, or to have conveyed, the fee simple title, or any
896 interest therein, of the person signing such instruments, or the
897 person in behalf of whom the same was conveyed by a person in an
898 official or representative capacity, to the land therein
899 described as effectively as if there had been no defect in,
900 failure of, or absence of the acknowledgment or the certificate
901 of acknowledgment, if acknowledged, or the relinquishment of
902 dower, and as if there had been no lack of the word "as"
903 preceding the title of the person conveying in an official or
904 representative capacity, of any seal or seals, or of any witness
905 or witnesses, and shall likewise be taken and held by all the
906 courts of this state to have been duly recorded so as to be
907 admissible in evidence;

908 (2) Provided, however, that this section shall not apply to
909 any conveyance the validity of which shall be contested or have



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910 been contested by suit commenced heretofore or within 1 year of
911 the effective date of this law.

912 Section 22. Section 695.03, Florida Statutes, is amended to
913 read:

914 695.03 Acknowledgment and proof; validation of certain
915 acknowledgments; legalization or authentication before foreign
916 officials.—To entitle any instrument concerning real property to
917 be recorded, the execution must be acknowledged by the party
918 executing it, proved by a subscribing witness to it, or
919 legalized or authenticated by a civil-law notary or notary
920 public who affixes her or his official seal, before the officers
921 and in the following form and manner ~~following~~:

922 (1) WITHIN THIS STATE.—An acknowledgment or a proof of a
923 person located ~~made within~~ this state may be made before a
924 judge, clerk, or deputy clerk of any court; a United States
925 commissioner or magistrate; or a notary public or civil-law
926 notary of this state, and the certificate of acknowledgment or
927 proof must be under the seal of the court or officer, as the
928 case may be. The affixing of the official seal, or the
929 electronic equivalent authorized under s. 117.021 or any other
930 state law, conclusively establishes that the acknowledgment or
931 proof was made in full compliance with the laws of this state.
932 ~~All affidavits and acknowledgments heretofore made or taken in~~
933 ~~this manner are hereby validated.~~

934 (2) OUT OF ~~WITHOUT THIS~~ STATE BUT WITHIN THE UNITED
935 STATES.—An acknowledgment or a proof of a person located outside
936 ~~made out~~ of this state but within the United States may be made
937 before an online notary public, a civil-law notary, ~~of this~~
938 ~~state~~ or by a commissioner of deeds appointed by the Governor of



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939 this state; a judge or clerk of any court of the United States
940 or of any state, territory, or district; a United States
941 commissioner or magistrate; or a notary public, justice of the
942 peace, master in chancery, or registrar or recorder of deeds of
943 any state, territory, or district having a seal, and the
944 certificate of acknowledgment or proof must be under the seal of
945 the court or officer, as the case may be. If the acknowledgment
946 or proof is made before a notary public who does not affix a
947 seal, it is sufficient for the notary public to type, print, or
948 write by hand on the instrument, "I am a Notary Public of the
949 State of ...(state)..., and my commission expires on
950 ...(date)...."

951 (3) OUTSIDE OF THE UNITED STATES OR WITHIN FOREIGN
952 COUNTRIES.—~~An If the~~ acknowledgment, an affidavit, an oath, a
953 legalization, an authentication, or a proof of a person located
954 outside the United States or is made in a foreign country, ~~it~~
955 may be made before a commissioner of deeds appointed by the
956 Governor of this state to act in such country; before a notary
957 public of such foreign country, an online notary public, or a
958 civil-law notary of this state or of such foreign country who
959 has an official seal; before an ambassador, envoy extraordinary,
960 minister plenipotentiary, minister, commissioner, charge
961 d'affaires, consul general, consul, vice consul, consular agent,
962 or other diplomatic or consular officer of the United States
963 appointed to reside in such country; or before a military or
964 naval officer authorized by 10 U.S.C. s. 1044a ~~the Laws or~~
965 ~~Articles of War of the United States~~ to perform the duties of
966 notary public, and the certificate of acknowledgment,
967 legalization, authentication, or proof must be under the seal of



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968 the officer. A certificate legalizing or authenticating the
969 signature of a person executing an instrument concerning real
970 property and to which a civil-law notary or notary public of
971 that country has affixed her or his official seal is sufficient
972 as an acknowledgment. For the purposes of this section, the term
973 "civil-law notary" means a civil-law notary as defined in
974 chapter 118 or an official of a foreign country who has an
975 official seal and who is authorized to make legal or lawful the
976 execution of any document in that jurisdiction, in which
977 jurisdiction the affixing of her or his official seal is deemed
978 proof of the execution of the document or deed in full
979 compliance with the laws of that jurisdiction.

980 (4) VALIDATION.—All affidavits, oaths, acknowledgments,
981 legalizations, authentications, or proofs made or taken in any
982 manner as set forth in subsections (1)-(3) are validated and
983 upon recording may not be denied to have provided constructive
984 notice based on any alleged failure to have strictly complied
985 with this section, as currently or previously in effect, or the
986 laws governing notarization of instruments.

987
988 ~~All affidavits, legalizations, authentications, and~~
989 ~~acknowledgments heretofore made or taken in the manner set forth~~
990 ~~above are hereby validated.~~

991 Section 23. Section 695.04, Florida Statutes, is amended to
992 read:

993 695.04 Requirements of certificate.—The certificate of the
994 officer before whom the acknowledgment or proof is taken, except
995 for a certificate legalizing or authenticating the signature of
996 a person executing an instrument concerning real property



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997 pursuant to s. 695.03(3), shall contain and set forth
998 substantially the matter required to be done or proved to make
999 such acknowledgment or proof effectual as set forth in s.
1000 117.05.

1001 Section 24. Section 695.05, Florida Statutes, is amended to
1002 read:

1003 695.05 Certain defects cured as to acknowledgments and
1004 witnesses.—All deeds, conveyances, bills of sale, mortgages or
1005 other transfers of real or personal property within the limits
1006 of this state, heretofore or hereafter made and received bona
1007 fide and upon good consideration by any corporation, and
1008 acknowledged for record by ~~before~~ some officer, stockholder or
1009 other person interested in the corporation, grantee, or
1010 mortgagee as a notary public or other officer authorized to take
1011 acknowledgments of instruments for record within this state,
1012 shall be held, deemed and taken as valid as if acknowledged by
1013 the proper notary public or other officer authorized to take
1014 acknowledgments of instruments for record in this state not so
1015 interested in said corporation, grantee or mortgagee; and said
1016 instrument whenever recorded shall be deemed notice to all
1017 persons; provided, however, that this section shall not apply to
1018 any instrument heretofore made, the validity of which shall be
1019 contested by suit commenced within 1 year of the effective date
1020 of this law.

1021 Section 25. Section 695.28, Florida Statutes, is amended to
1022 read:

1023 695.28 Validity of recorded electronic documents.—

1024 (1) A document that is otherwise entitled to be recorded
1025 and that was or is submitted to the clerk of the court or county



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1026 recorder by electronic or other means and accepted for
1027 recordation is deemed validly recorded and provides notice to
1028 all persons notwithstanding:

1029 (a) That the document was received and accepted for
1030 recordation before the Department of State adopted standards
1031 implementing s. 695.27; ~~or~~

1032 (b) Any defects in, deviations from, or the inability to
1033 demonstrate strict compliance with any statute, rule, or
1034 procedure relating to electronic signatures, electronic
1035 witnesses, electronic notarization, or online notarization, or
1036 for submitting or recording to submit or record an electronic
1037 document in effect at the time the electronic document was
1038 executed or was submitted for recording;

1039 (c) That the document was signed, witnessed, or notarized
1040 electronically or that witnessing or notarization may have been
1041 done outside the physical presence of the notary public or
1042 principal; or

1043 (d) That the document recorded was a certified printout of
1044 a document to which one or more electronic signatures have been
1045 affixed.

1046 (2) This section does not alter the duty of the clerk or
1047 recorder to comply with s. 28.222, s. 695.27, or any rules
1048 adopted pursuant to those sections ~~that section~~.

1049 (3) This section does not preclude a challenge to the
1050 validity or enforceability of an instrument or electronic record
1051 based upon fraud, forgery, impersonation, duress, undue
1052 influence, minority, illegality, unconscionability, or any other
1053 basis not in the nature of those matters described in subsection
1054 (1).



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1055 Section 26. This act shall take effect January 1, 2019.

1056

1057 ===== T I T L E A M E N D M E N T =====

1058 And the title is amended as follows:

1059 Delete everything before the enacting clause
1060 and insert:

1061 A bill to be entitled
1062 An act relating to notaries public; providing
1063 directives to the Division of Law Revision and
1064 Information; amending s. 117.01, F.S.; revising
1065 provisions relating to use of the office of notary
1066 public; amending s. 117.021, F.S.; requiring
1067 electronic signatures to include access protection;
1068 prohibiting a person from requiring a notary public to
1069 perform a notarial act with certain technology;
1070 requiring the Department of State, in collaboration
1071 with the Agency for State Technology, to adopt rules
1072 for certain purposes; amending s. 117.05, F.S.;
1073 revising limitations on notary fees to conform to
1074 changes made by the act; providing for inclusion of
1075 certain information in a jurat or notarial
1076 certificate; providing for compliance with online
1077 notarization requirements; providing for notarial
1078 certification of a printed electronic record; revising
1079 statutory forms for jurats and notarial
1080 certifications; amending s. 117.107, F.S.; providing
1081 applicability; revising prohibited acts; creating s.
1082 117.201, F.S.; providing definitions; creating s.
1083 117.209, F.S.; authorizing online notarizations;



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1084 providing an exception; creating s. 117.215, F.S.;

1085 specifying the application of other laws in relation

1086 to online notarizations; creating s. 117.225, F.S.;

1087 specifying registration and qualification requirements

1088 for online notaries public; creating s. 117.235, F.S.;

1089 authorizing the performance of certain notarial acts;

1090 creating s. 117.245, F.S.; requiring a notary public

1091 to keep an electronic journal of online notarizations;

1092 specifying the information that must be included for

1093 each online notarization; requiring an online notary

1094 public to take certain steps regarding the maintenance

1095 and security of the electronic journal; creating s.

1096 117.255, F.S.; specifying requirements for the use of

1097 electronic journals, signatures, and seals; requiring

1098 a notary public to provide notification of the theft,

1099 vandalism, or loss of an electronic journal,

1100 signature, or seal; authorizing an online notary

1101 public to make copies of electronic journal entries

1102 and to provide access to related recordings under

1103 certain circumstances; authorizing an online notary

1104 public to charge a fee for making and delivering such

1105 copies; creating s. 117.265, F.S.; prescribing online

1106 notarization procedures; specifying the manner by

1107 which an online notary public must verify the identity

1108 of a principal or a witness; requiring an online

1109 notary public to take certain measures as to the

1110 security of technology used; specifying that an

1111 electronic notarial certificate must identify the

1112 performance of an online notarization; specifying that



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1113 noncompliance does not impair the validity of a
1114 notarial act or the notarized electronic record;
1115 providing construction; creating s. 117.275, F.S.;
1116 providing fees for online notarizations; creating s.
1117 117.285, F.S.; specifying the manner by which an
1118 online notary public may supervise the witnessing of
1119 electronic records of online notarizations; creating
1120 s. 117.295, F.S.; providing standards for electronic
1121 and online notarizations; authorizing the Department
1122 of State, in collaboration with the Agency for State
1123 Technology, to adopt certain rules; creating s.
1124 117.305, F.S.; superseding certain provisions of
1125 federal law regulating electronic signatures; amending
1126 s. 28.222, F.S.; requiring the clerk of the circuit
1127 court to record certain instruments; amending s.
1128 95.231, F.S.; providing a limitation period for
1129 certain recorded instruments; amending s. 689.01,
1130 F.S.; providing for witnessing of documents in
1131 connection with real estate conveyances; providing for
1132 validation of certain recorded documents; amending s.
1133 694.08, F.S.; providing for validation of certain
1134 recorded documents; amending s. 695.03, F.S.;
1135 providing and revising requirements for making
1136 acknowledgments, proofs, and other documents; amending
1137 ss. 695.04 and 695.05, F.S.; conforming provisions to
1138 changes made by the act; amending s. 695.28, F.S.;
1139 providing for validity of recorded documents;
1140 conforming provisions to changes made by the act;
1141 providing an effective date.