

By Senator Simmons

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1 A bill to be entitled
2 An act relating to real estate conveyances; amending
3 s. 689.01, F.S.; providing that subscribing witnesses
4 are not required to validate certain instruments
5 conveying a leasehold interest in real property;
6 providing an effective 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 (1) of section 689.01, Florida
11 Statutes, is amended to read:

12 689.01 How real estate conveyed.—

13 (1) No estate or interest of freehold, or for a term of
14 more than 1 year, or any uncertain interest of, in, or out of
15 any messuages, lands, tenements, or hereditaments shall be
16 created, made, granted, transferred, or released in any ~~other~~
17 manner other than by instrument in writing, signed in the
18 presence of two subscribing witnesses by the party creating,
19 making, granting, conveying, transferring, or releasing such
20 estate, interest, or term of more than 1 year, or by the party's
21 lawfully authorized agent, unless by will and testament, or
22 other testamentary appointment, duly made according to law; and
23 no estate or interest, either of freehold, or of term of more
24 than 1 year, or any uncertain interest of, in, to, or out of any
25 messuages, lands, tenements, or hereditaments, shall be assigned
26 or surrendered unless it be by instrument signed in the presence
27 of two subscribing witnesses by the party so assigning or
28 surrendering, or by the party's lawfully authorized agent, or by
29 the act and operation of law; provided, however, that no

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30 subscribing witnesses shall be required for any such instrument
31 pertaining to a leasehold estate in real property. No seal shall
32 be necessary to give validity to any instrument executed in
33 conformity with this section. Corporations may execute any and
34 all conveyances in accordance with the provisions of this
35 section or ss. 692.01 and 692.02.

36 Section 2. This act shall take effect July 1, 2020.