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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/21/2024	.	
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The Committee on Rules (Yarborough) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 704.09, Florida Statutes, is created to
read:

704.09 Creation of easements, servitudes, and other
interests affecting real property owned by the same owner.-

(1) An owner of real property may create an easement,
servitude, or other interest in the owner's real property,
notwithstanding that the owner owns all of the affected real



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12 property.

13 (2) An easement, servitude, or other interest in real
14 property created by an owner in the owner's real property prior
15 to the effective date of this act is valid unless invalidated by
16 a court on grounds other than unity of title.

17 Section 2. This act is intended to respect the intent of
18 parties to real property transactions that occurred prior to the
19 effective date of this act and the parties' reliance on
20 easements, servitudes, or other interests created by those
21 transactions.

22 Section 3. The Division of Law Revision is directed to
23 replace the phrase "the effective date of this act" wherever it
24 occurs in s. 704.09, Florida Statutes, as created by this act,
25 with the date this act becomes a law.

26 Section 4. This act shall take effect upon becoming a law.

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

29 And the title is amended as follows:

30 Delete everything before the enacting clause
31 and insert:

32 A bill to be entitled

33 An act relating to easements affecting real property
34 owned by the same owner; creating s. 704.09, F.S.;
35 authorizing an owner of real property to create an
36 easement, servitude, or other interest in the owner's
37 real property; providing that such easement,
38 servitude, or other interest is valid; providing an
39 exception; providing legislative intent; providing a
40 directive to the Division of Law Revision; providing



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an effective date.