

1                   A bill to be entitled  
2       An act relating to the protection of specified persons  
3       against the fraudulent and exploitative conveyance of  
4       property interests; amending s. 415.1034, F.S.;  
5       revising the list of persons who must report abuse,  
6       neglect, or exploitation of vulnerable adults to  
7       include the clerk of the court; creating s. 415.1104,  
8       F.S.; providing definitions; requiring that any  
9       quitclaim deed purporting to convey real property or  
10      an interest therein from a specified adult be executed  
11      in the presence of a specified number of subscribing  
12      witnesses; prohibiting the recording of such deeds  
13      with the clerk until after a specified cooling-off  
14      period has elapsed; authorizing a specified adult to  
15      designate a certain person through a power of attorney  
16      recorded with the clerk; requiring the clerk to  
17      contact the person designated in the power of attorney  
18      before the cooling-off period elapses; authorizing  
19      such person to object in writing to the quitclaim deed  
20      being recorded; requiring the clerk to notify  
21      specified persons of their right to file a recission  
22      of the quitclaim deed; requiring the clerk to provide  
23      instructions on how to file such recission; requiring  
24      the clerk to enroll the specified adult in the  
25      statewide Property Alert Service if an objection is

26        made; requiring the clerk to conduct a preliminary  
27        investigation and provide notification on the status  
28        of the investigation; requiring the clerk to refer an  
29        objection to a not-for-profit legal aid organization  
30        if further investigation is needed; authorizing the  
31        not-for-profit legal aid organization to request  
32        additional time to investigate the matter; prohibiting  
33        the clerk from recording the quitclaim deed until  
34        after the not-for-profit legal aid organization has  
35        concluded the quitclaim deed was not obtained through  
36        fraudulent or exploitative means; requiring the clerk  
37        to record the quitclaim deed if no fraud or  
38        exploitation of a specified adult is suspected;  
39        requiring a clerk or not-for-profit legal aid  
40        organization that suspects a quitclaim deed was  
41        obtained through fraudulent or exploitative means to  
42        refer the matter to the state attorney for further  
43        investigation and prosecution; requiring the clerks,  
44        by a specified date, to provide in their offices  
45        certain materials written in plain language;  
46        reenacting s. 415.1105(2), F.S., relating to training  
47        programs, to incorporate the amendment made to s.  
48        415.1034, F.S., in a reference thereto; providing an  
49        effective date.

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

**Section 1. Paragraph (a) of subsection (1) of section 415.1034, Florida Statutes, is amended to read:**

415.1034 Mandatory reporting of abuse, neglect, or exploitation of vulnerable adults; mandatory reports of death.—

(1) MANDATORY REPORTING.—

(a) A ~~Any~~ person, including, but not limited to, a ~~any~~:

1. Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, paramedic, emergency medical technician, or hospital personnel engaged in the admission, examination, care, or treatment of vulnerable adults;

2. Health professional or mental health professional other than one listed in subparagraph 1.;

3. Practitioner who relies solely on spiritual means for healing;

4. Nursing home staff; assisted living facility staff; adult day care center staff; adult family-care home staff; social worker; or other professional adult care, residential, or institutional staff;

5. State, county, or municipal criminal justice employee or law enforcement officer;

6. Employee of the Department of Business and Professional Regulation conducting inspections of public lodging establishments under s. 509.032;

76           7. Florida advocacy council or Disability Rights Florida  
77 member or a representative of the State Long-Term Care Ombudsman  
78 Program;

79           8. Bank, savings and loan, or credit union officer,  
80 trustee, or employee; ~~or~~

81           9. Dealer, investment adviser, or associated person under  
82 chapter 517; or

83           10. Clerk of the court,  
84

85 who knows, or has reasonable cause to suspect, that a vulnerable  
86 adult has been or is being abused, neglected, or exploited must  
87 immediately report such knowledge or suspicion to the central  
88 abuse hotline.

89           **Section 2. Section 415.1104, Florida Statutes, is created**  
90 **to read:**

91           415.1104 Title fraud prevention for specified adults.—

92           (1) As used in this section, the term:

93           (a) "Clerk" means any of the clerks of the circuit courts  
94 of this state.

95           (b) "Not-for-profit legal aid organization" means a not-  
96 for-profit organization operated in this state which provides as  
97 its primary purpose civil legal services without charge to  
98 eligible clients in its judicial circuit.

99           (c) "Quitclaim deed" means a legal document used to  
100 transfer a person's property interest to another party without

101 any guarantees regarding the validity of the title. A quitclaim  
102 deed does not make any warranties or guarantees regarding the  
103 property's ownership history and simply transfers any ownership  
104 interest the seller may have to the buyer.

105 (d) "Specified adult" means a natural person 65 years of  
106 age or older or a vulnerable adult as defined in s. 415.102.

107 (e) "Subscribing witness" means a natural person who  
108 physically witnesses the signing of a deed or other instrument  
109 purporting to convey real property or an interest therein and  
110 who meets all of the following requirements:

111 1. Is 18 years of age or older.

112 2. Is of sound mind.

113 3. Is not a party to the conveyance.

114 4. Has no financial interest in the conveyance.

115 (2) Any quitclaim deed purporting to convey real property  
116 or an interest therein from a specified adult must be executed  
117 in the presence of two subscribing witnesses.

118 (3) Any quitclaim deed described in subsection (2) which  
119 is presented to the clerk may not be recorded until a 72-hour  
120 cooling-off period has elapsed after the quitclaim deed is  
121 presented to the clerk for recording.

122 (4) (a) A specified adult may designate a person who may be  
123 contacted about any quitclaim deed purporting to convey real  
124 property or an interest therein through a power of attorney to  
125 be recorded with the clerk's office.

126        (b) The clerk shall contact the person designated in the  
127 power of attorney before the 72-hour cooling-off period elapses.

128        (c) The person designated in the power of attorney may  
129 object to the quitclaim deed described in subsection (2) being  
130 recorded. An objection made by such person must be in writing.

131        (d) After an objection from the person designated in the  
132 power of attorney is made, the clerk's office must notify both  
133 the person who made the objection and the specified adult of  
134 their right to file a rescission of the quitclaim deed. The  
135 clerk shall provide the specified adult and person designated in  
136 the power of attorney with instructions on how to file the  
137 recission.

138        (e) Once an objection is made in writing to the clerk's  
139 office, the clerk must automatically enroll the specified adult  
140 in the statewide Property Alert Service. The clerk's office must  
141 perform a preliminary investigation to determine whether the  
142 quitclaim deed was fraudulently conveyed. During this time, the  
143 clerk must notify the person designated in the power of attorney  
144 and the specified adult of the status of the investigation.

145        (f) If further investigation into fraudulent activity is  
146 needed after the clerk's preliminary investigation, the case  
147 must be referred to a not-for-profit legal aid organization.

148        (g) The not-for-profit legal aid organization may request  
149 additional time to investigate the matter. The clerk may not  
150 record the quitclaim deed described in subsection (2) until the

151 not-for-profit legal aid organization makes a finding that the  
152 quitclaim deed was not obtained through fraudulent or  
153 exploitative means.

154 (5) If there is no suspicion that the quitclaim deed has  
155 been obtained through fraudulent or exploitative means, the  
156 clerk must record the quitclaim deed described in subsection  
157 (2).

158 (6) Notwithstanding the cooling-off period described in  
159 subsection (3), if the clerk or the not-for-profit legal aid  
160 organization suspects the quitclaim deed described in subsection  
161 (2) was obtained through fraudulent or exploitative means, the  
162 clerk or not-for-profit legal aid organization must refer the  
163 matter to the state attorney for further investigation and  
164 prosecution.

165 (7) By October 1, 2027, the clerks shall provide materials  
166 in their respective offices which contain information written in  
167 plain language on the risks of conveying real property or an  
168 interest therein to another person, with an emphasis on  
169 protecting specified adults against fraud and exploitation.

170 **Section 3. For the purpose of incorporating the amendment**  
171 **made by this act to section 415.1034, Florida Statutes, in a**  
172 **reference thereto, subsection (2) of section 415.1105, Florida**  
173 **Statutes, is reenacted to read:**

174 415.1105 Training programs.—

175 (2) Within available resources, the department shall

HB 1195

2026

176 cooperate with other appropriate agencies in developing and  
177 providing preservice and inservice training programs for those  
178 persons specified in s. 415.1034(1)(a).

179       **Section 4.** This act shall take effect July 1, 2026.