

By Senator Arrington

25-00534B-26

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A bill to be entitled  
An act relating to recording of instruments conveying  
real property; amending s. 117.021, F.S.; requiring  
that electronic signatures for certain notarial acts  
include specified information as a watermark to  
prevent copying; amending s. 695.26, F.S.; prohibiting  
the recording of certain instruments without specified  
identification; defining the term "valid and  
unredacted identification document"; authorizing a  
clerk of the circuit court to return instruments for  
correction in specified circumstances; requiring that  
such instruments be returned within a specified  
timeframe; providing an effective date.

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

Section 1. Present subsections (4) through (7) of section  
117.021, Florida Statutes, are redesignated as subsections (5)  
through (8), respectively, and a new subsection (4) is added to  
that section, to read:

117.021 Electronic notarization.—

(4) When performing a notarial act under s. 695.03, in  
addition to all other requirements of this section, a notary  
public shall use an electronic signature that is accompanied by  
a date, a time stamp, and the names of the grantor and grantee.  
The date, time stamp, and names of the grantor and grantee must  
appear as a watermark through the signature to prevent copying  
the signature to another document.

Section 2. Present subsections (3) and (4) of section

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695.26, Florida Statutes, are redesignated as subsections (4) and (5), respectively, a new subsection (3) is added to that section, and subsection (1) of that section is amended, to read:

695.26 Requirements for recording instruments affecting real property.—

(1) No instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of shall be recorded by the clerk of the circuit court unless:

(a) The name of each person who executed such instrument is legibly printed, typewritten, or stamped upon such instrument immediately beneath the signature of such person and the post-office address of each such person is legibly printed, typewritten, or stamped upon such instrument;

(b) A clear and legible copy of a valid and unredacted identification document in the name of each person who executed such instrument is presented to the clerk;

(c)~~(b)~~ The name and post-office address of the natural person who prepared the instrument or under whose supervision it was prepared are legibly printed, typewritten, or stamped upon such instrument;

(d)~~(c)~~ The name of each witness to the instrument is legibly printed, typewritten, or stamped upon such instrument immediately beneath the signature of such witness and the post office address of each such person is legibly printed, typewritten, or stamped upon such instrument;

(e)~~(d)~~ The name of any notary public or other officer authorized to take acknowledgments or proofs whose signature appears upon the instrument is legibly printed, typewritten, or

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59 stamped upon such instrument immediately beneath the signature  
60 of such notary public or other officer authorized to take  
61 acknowledgment or proofs;

62 (f)~~(e)~~ A 3-inch by 3-inch space at the top right-hand  
63 corner on the first page and a 1-inch by 3-inch space at the top  
64 right-hand corner on each subsequent page are reserved for use  
65 by the clerk of the court; and

66 (g)~~(f)~~ In any instrument other than a mortgage conveying or  
67 purporting to convey any interest in real property, the name and  
68 post-office address of each grantee in such instrument are  
69 legibly printed, typewritten, or stamped upon such instrument.  
70

71 As used in this subsection, the term "valid and unredacted  
72 identification document" means a government-issued photographic  
73 identification card that includes the individual's name,  
74 address, photograph, and signature. The term includes, but is  
75 not limited to, a driver license, a passport, an identification  
76 card issued by a state, a consular identification card, or a  
77 permanent resident card.

78 (3) The clerk of the circuit court may return an instrument  
79 for correction if it does not comply with subsection (1). Such  
80 instrument must be returned within 3 business days after  
81 receipt.

82 Section 3. This act shall take effect July 1, 2026.