

ENROLLED  
HB 951

2011 Legislature

1                                   A bill to be entitled  
2           An act relating to the recording of real property  
3           documents; creating s. 695.28, F.S.; establishing that  
4           certain electronic documents accepted for recordation are  
5           validly recorded; providing legislative intent; providing  
6           for prospective and retroactive application; providing an  
7           effective date.

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

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11           Section 1. Section 695.28, Florida Statutes, is created to  
12   read:

13           695.28 Validity of recorded electronic documents.—

14           (1) A document that is otherwise entitled to be recorded  
15           and that was or is submitted to the clerk of the court or county  
16           recorder by electronic means and accepted for recordation is  
17           deemed validly recorded and provides notice to all persons  
18           notwithstanding:

19           (a) That the document was received and accepted for  
20           recordation before the Department of State adopted standards  
21           implementing s. 695.27; or

22           (b) Any defects in, deviations from, or the inability to  
23           demonstrate strict compliance with any statute, rule, or  
24           procedure to submit or record an electronic document in effect  
25           at the time the electronic document was submitted for recording.

26           (2) This section does not alter the duty of the clerk or  
27           recorder to comply with s. 695.27 or rules adopted pursuant to  
28           that section.

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29           Section 2. This act is intended to clarify existing law  
30 and applies prospectively and retroactively.

31           Section 3. This act shall take effect upon becoming a law.