

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

SB 736 — Limitations Relating to Deeds and Wills

by Senator Richter

The bill expands the scope of existing law (s. 95.231(1), F.S.), to cure defective documents purporting to transfer title to real property. Under existing law, a 5-year limitation period acts to cure defective deeds or wills that are missing required seals or signatures of witnesses. Under the bill, the 5-year limitation period will cure such defects in any instrument, including a power of attorney, used in connection with the transfer of title to real property. Additionally, the bill provides a savings clause to allow any person who is adversely affected by the bill's changes to bring a claim within the specified period of time to protect his or her interest.

If approved by the Governor, these provisions take effect October 1, 2013.

Vote: Senate 38-0; House 117-0