

Committee on Judiciary

CS/SB 1430 — Postjudgment Execution Proceedings Relating to Terrorism

by Criminal Justice Committee and Senator Collins

The bill expands current law remedies available to a victim of international terrorism to collect a civil judgment against a terrorist party or an agency or instrumentality of a terrorist. The bill authorizes creditor process to be served upon any person or entity over whom the court has jurisdiction, thereby subjecting the assets to Florida jurisdiction. A Florida court enforcing a terrorism victim's anti-terrorism judgment may garnish intangible assets wherever they are located, without territorial limitation. If these intangible assets are traceable to the terrorist judgment debtor they are subject to execution, garnishment, and turnover by a United States securities custodian or intermediary. In addition, if an electronic funds transfer is currently being held by an intermediary and either the sender or recipient is the terrorist judgment debtor or a related party, the funds are deemed to be property of the terrorist judgment debtor and subject to seizure to apply against the judgment.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 36-0; House 115-0