

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/CS/HB 1419 — Real Property Fraud

by Judiciary Committee; Civil Justice Subcommittee; and Rep. Robinson, W. and others (CS/SB 1436 by Judiciary Committee and Senator Bradley)

The bill addresses real property fraud by requiring the clerk of the court in each county, by July 1, 2024, to offer a free electronic notification service to members of the public who register for the service. The service will provide notice of the recording of a land record associated with the name of a specific person.

The bill creates an expedited means for clearing title where a fraudulent deed or other instrument that may affect a real estate title has been recorded; creates a statutory form for a quitclaim deed; and requires, starting January 1, 2024, that the address of each witness to a real estate conveyance be included on any real property conveyance.

The bill also creates a pilot program in Lee County to address real property title fraud by authorizing the clerk of court to require any person presenting a document transferring a real property interest for recording to produce a government-issued photographic identification card. At the end of the 2 year pilot program, the clerk must publish a report on the program. The report must contain data on real property transactions, describe feedback from the public, discuss the program's effectiveness at deterring and detecting title fraud, and recommend whether the program should be expanded to all counties.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 116-0