

26 Section 1. Subsection (1) of section 712.03, Florida
 27 Statutes, is amended to read:

28 712.03 Exceptions to marketability.—Such marketable record
 29 title shall not affect or extinguish the following rights:

30 (1) Estates, ~~or~~ interests, easements, and use restrictions
 31 disclosed by and defects inherent in the muniments of title on
 32 which said estate is based beginning with the root of title, ~~and~~
 33 provided, however, that in the muniments of title those estates,
 34 interests, easements, or use restrictions created before the
 35 root of title are preserved by identification in the legal
 36 description of the property by specific reference to the
 37 official records book and page number, instrument number, or
 38 plat name or there is otherwise an affirmative statement in a
 39 muniment of title to preserve such estates, interests,
 40 easements, or use restrictions created before the root of title
 41 as identified by the official records book and page or
 42 instrument number ~~a general reference in any of such muniments~~
 43 ~~to easements, use restrictions or other interests created prior~~
 44 ~~to the root of title shall not be sufficient to preserve them~~
 45 ~~unless specific identification by reference to book and page of~~
 46 ~~record or by name of recorded plat be made therein to a recorded~~
 47 ~~title transaction which imposed, transferred or continued such~~
 48 ~~easement, use restrictions or other interests; subject, however,~~
 49 ~~to the provisions of subsection (5).~~

50 Section 2. Section 712.04, Florida Statutes, is amended to

51 read:

52 712.04 Interests extinguished by marketable record title.—
53 Subject to s. 712.03, a marketable record title is free and
54 clear of all estates, interests, claims, covenants,
55 restrictions, or charges, the existence of which depends upon
56 any act, title transaction, event, zoning requirement, building
57 or development permit, or omission that occurred before the
58 effective date of the root of title. Except as provided in s.
59 712.03, all such estates, interests, claims, covenants,
60 restrictions, or charges, however denominated, whether they are
61 or appear to be held or asserted by a person sui juris or under
62 a disability, whether such person is within or without the
63 state, natural or corporate, or private or governmental, are
64 declared to be null and void. However, this chapter does not
65 affect any right, title, or interest of the United States,
66 Florida, or any of its officers, boards, commissions, or other
67 agencies reserved in the patent or deed by which the United
68 States, Florida, or any of its agencies parted with title. This
69 section may not be construed to alter or invalidate:

70 (1) A comprehensive plan or plan amendment; zoning
71 ordinance; land development regulation; building code;
72 development permit; development order; or other law, regulation,
73 or regulatory approval, to the extent such law, regulation, or
74 regulatory approval operates independently of matters recorded
75 in the official records; or

76 (2) Any recorded covenant or restriction that on the face
 77 of the first page of the document states that it was accepted by
 78 a governmental entity as part of, or as a condition of, any such
 79 comprehensive plan or plan amendment; zoning ordinance; land
 80 development regulation; building code; development permit;
 81 development order; or other law, regulation, or regulatory
 82 approval.

83 Section 3. Paragraph (b) of subsection (1) of section
 84 712.12, Florida Statutes, is amended to read:

85 712.12 Covenant or restriction revitalization by parcel
 86 owners not subject to a homeowners' association.—

87 (1) As used in this section, the term:

88 (b) "Covenant or restriction" means any agreement or
 89 limitation ~~imposed by a private party and not required by a~~
 90 ~~governmental agency as a condition of a development permit, as~~
 91 ~~defined in s. 163.3164, which is~~ contained in a document
 92 recorded in the public records of the county in which a parcel
 93 is located and which subjects the parcel to any use restriction
 94 that may be enforced by a parcel owner.

95 Section 4. Section 715.075, Florida Statutes, is created
 96 to read:

97 715.075 Vehicles parked on private property; rules and
 98 rates authorized.—

99 (1) The owner or operator of private property used for
 100 motor vehicle parking may establish rules, rates, and fines that

101 govern private persons who park their motor vehicles on such
102 private property. The rules and rates may include parking
103 charges and fines for violating the private property owner's or
104 operator's rules.

105 (2) A county or municipality may not enact an ordinance or
106 regulation restricting or prohibiting the right of a private
107 property owner or operator to establish rules, rates, and fines
108 pursuant to subsection (1). Any such ordinance or regulation is
109 a violation of this section and is null and void.

110 Section 5. The amendments to ss. 712.03, 712.04, and
111 712.12, Florida Statutes, in this act are intended to clarify
112 existing law, are remedial in nature, and apply to all estates,
113 interests, claims, covenants, restrictions, and charges, whether
114 imposed or accepted before, on, or after the effective date of
115 this act.

116 Section 6. A person with an interest in land which may
117 potentially be extinguished by this act, and whose interest has
118 not been extinguished before July 1, 2022, must file a notice
119 pursuant to s. 712.06, Florida Statutes, by July 1, 2023, to
120 preserve such interest.

121 Section 7. The Division of Law Revision is directed to
122 replace the phrase "the effective date of this act" wherever it
123 occurs in this act with the date the act becomes a law.

124 Section 8. This act shall take effect upon becoming a law.