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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2026	.	
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The Appropriations Committee on Criminal and Civil Justice (Garcia) recommended the following:

1 **Senate Substitute for Amendment (552484) (with title**
2 **amendment)**

3
4 Between lines 139 and 140
5 insert:

6 Section 4. Subsection (3) of section 45.031, Florida
7 Statutes, is amended to read:

8 45.031 Judicial sales procedure.—In a sale of real property
9 related to a foreclosure action, the procedures provided in this
10 section and ss. 45.0315-45.035 shall be followed. In any other



11 sale of real or personal property under an order or judgment,
12 the procedures provided in this section and ss. 45.0315-45.035
13 may be followed as an alternative to any other sale procedure if
14 so ordered by the court.

15 (3) CONDUCT OF SALE; DEPOSIT REQUIRED.—The sale shall be
16 conducted by the clerk of court at public auction at the time
17 and place set forth in the final judgment. The clerk shall
18 receive the service charge imposed in s. 45.035 for services in
19 making, recording, and certifying the sale and title that shall
20 be assessed as costs. At the time of the sale, the successful
21 high bidder shall post with the clerk a deposit equal to 5
22 percent of the final bid. The deposit shall be applied to the
23 sale price at the time of payment. If final payment is not made
24 within the prescribed period, the clerk shall readvertise the
25 sale as provided in this section and pay all costs of the sale
26 from the deposit. Any remaining funds shall be applied toward
27 the judgment.

28
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete line 7

32 and insert:

33 changes made by the act; amending s. 45.031, F.S.;
34 requiring that a court use certain sale procedures in
35 a foreclosure action; providing that only a clerk of
36 court may conduct a foreclosure sale; providing an
37 effective date.