

## CHAPTER 2011-173

### House Bill No. 951

An act relating to the recording of real property documents; creating s. 695.28, F.S.; establishing that certain electronic documents accepted for recordation are validly recorded; providing legislative intent; providing for prospective and retroactive application; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 695.28, Florida Statutes, is created to read:

695.28 Validity of recorded electronic documents.—

(1) A document that is otherwise entitled to be recorded and that was or is submitted to the clerk of the court or county recorder by electronic means and accepted for recordation is deemed validly recorded and provides notice to all persons notwithstanding:

(a) That the document was received and accepted for recordation before the Department of State adopted standards implementing s. 695.27; or

(b) Any defects in, deviations from, or the inability to demonstrate strict compliance with any statute, rule, or procedure to submit or record an electronic document in effect at the time the electronic document was submitted for recording.

(2) This section does not alter the duty of the clerk or recorder to comply with s. 695.27 or rules adopted pursuant to that section.

Section 2. This act is intended to clarify existing law and applies prospectively and retroactively.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 17, 2011.

Filed in Office Secretary of State June 17, 2011.