

## CHAPTER 2013-23

### Committee Substitute for House Bill No. 179

An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

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

Section 1. Subsection (4) of section 74.051, Florida Statutes, is amended to read:

74.051 Hearing on order of taking.—

(4) The court may fix the time within which and the terms upon which the defendants shall be required to surrender possession to the petitioner, which time of possession shall be upon deposit for those defendants failing to file a request for hearing as provided herein. The order of taking shall not become effective unless the deposit of the required sum is made in the registry of the court. If the deposit is not made within 20 days from the date of the order of taking, the order shall be void and of no further effect. The clerk is authorized to invest such deposits so as to earn the highest interest obtainable under the circumstances in state or national financial institutions in Florida insured by the Federal Government. Ninety percent of the interest earned shall be allocated in accordance with the ultimate ownership in the deposit paid to ~~the petitioner.~~

Section 2. This act shall take effect July 1, 2013.

Approved by the Governor April 17, 2013.

Filed in Office Secretary of State April 17, 2013.