

By Senator Baker

20-00505-10

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1                   A bill to be entitled  
2           An act relating to marketable record title; amending  
3           s. 712.03, F.S.; revising the exceptions to  
4           marketability by including any right, title, or  
5           interest held by the Board of Trustees of the Internal  
6           Improvement Trust Fund, any water management district,  
7           or the United States; amending s. 712.04, F.S.;  
8           conforming provisions to changes made by the act;  
9           providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (9) is added to section 712.03,  
14 Florida Statutes, to read:

15           712.03 Exceptions to marketability.—Such marketable record  
16 title shall not affect or extinguish the following rights:

17           (9) Any right, title, or interest held by the Board of  
18 Trustees of the Internal Improvement Trust Fund, any water  
19 management district created under chapter 373, or the United  
20 States.

21           Section 2. Section 712.04, Florida Statutes, is amended to  
22 read:

23           712.04 Interests extinguished by marketable record title.—  
24 Subject to ~~the matters stated in~~ s. 712.03, a ~~such~~ marketable  
25 record title is ~~shall be~~ free and clear of all estates,  
26 interests, claims, or charges ~~whatsoever~~, the existence of which  
27 depends upon any act, title transaction, event, or omission that  
28 occurred before ~~prior to~~ the effective date of the root of  
29 title. Except as provided in s. 712.03, all such estates,

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30 interests, claims, or charges, however denominated, whether they  
31 ~~such estates, interests, claims, or charges~~ are or appear to be  
32 held or asserted by a person sui juris or under a disability,  
33 whether such person is within or without the state, ~~whether such~~  
34 ~~person is~~ natural or corporate, or ~~is~~ private or governmental,  
35 are ~~hereby~~ declared to be null and void. However, ~~except that~~  
36 this chapter does ~~shall~~ not ~~be deemed to~~ affect any right,  
37 title, or interest of the United States, Florida, or any of its  
38 officers, boards, commissions, or other agencies reserved in the  
39 patent or deed by which the United States, Florida, or any of  
40 its agencies parted with title.

41 Section 3. This act shall take effect July 1, 2010.