

To: Executive Council, Business Law Section of the Florida Bar

From: Bankruptcy/UCC Committee

Re: Triple Motions re. Judgment Lien Amendments & UCC “Pick Your Partner” Amendments

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The Bankruptcy/UCC Committee recommends that the Executive Council pass triple motions approving the attached proposed bills.

The Bankruptcy/UCC Committee has evaluated the criteria of a “triple motion,” and determined that these legislative issues meet the criteria. That is, the legislative issues are 1) within the section’s subject matter jurisdiction, 2) within the permissible scope of the legislative activity of the Florida Bar and not inconsistent with an official position of the Florida Bar, and 3) not issues that carry the potential of deep philosophical or emotional division among a substantial segment of the Florida Bar.

**I. Exhibit A: Judgment Lien Amendments**

The Bankruptcy/UCC Committee moves as follows:

- To approve amendments to Chapters 55, 56, and 319, to (i) clarify the effect of a certificate of title on a judgment lien, (ii) establish procedures for enforcement of a judgment lien against a motor vehicle, mobile home, or vessel, and (iii) expand the reach of a judgment lien to include payment intangibles of a judgment debtor; and
- Authorize the BLS legislative team to advance the proposed legislation in the 2022 legislative session.

**II. Exhibit B: UCC “Pick Your Partner” Amendments**

The Bankruptcy/UCC Committee moves to:

- Support legislation to amend Fla. Stat. §§ 679.4061 & 679.4081 to clarify that certain “overrides” of restrictions on transferability do not apply to an ownership interest in a general partnership, limited partnership, or limited liability company; and
- Authorize the BLS legislative team to advance the proposed legislation in the 2022 legislative session.