

TRIPLE MOTION WITH RESPECT TO JUDGMENT LIEN AMENDMENTS

The Bankruptcy / UCC Committee moves as follows:

To (1) support legislation to update and clarify Section 55.205, F.S., Effect of judgment lien, to explicitly cross-reference Section 319.27, F.S; (2) support amendments to Chapters 55, 56 and 319 F.S. to (i) clarify the effect of a certificate of title on a judgment lien, and (ii) establish procedures for enforcement of a judgment lien against a motor vehicle, mobile home, or vessel; (3) support legislation to expand the scope of the Florida Judgment lien on personal property to reach accounts and payment intangibles as defined in Ch . 679, F.S. of a judgment debtor that is located in this state; and (4) support legislation that makes clear that the above judgment lien can be enforced only through judicial process and not through self-help or replevin without the express consent of the judgment debtor in a post-default record.