

CHAPTER 67-1702 LAWS OF FLORIDA

CHAPTER 67-1702

House Bill No. 1771

AN ACT relating to Martin County, Florida; authorizing Martin County to obtain repayment of welfare funds spent in behalf of indigents or recipients thereof; to acquire liens on real or personal property or interests therein; providing for recordation of a statement of expenditures creating said liens; providing for the effect, validity and time within which said liens are valid; providing for foreclosure of the liens; providing that the board of county commissioners may waive payment if it determines an undue hardship or unreasonable monetary loss will occur to indigent or recipient; and providing for effective date hereof.

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

Section 1. The purpose of this act is to authorize Martin County to obtain the repayment of money expended for welfare purposes and to acquire against real or personal property or interests therein, owned by indigents or recipients of welfare assistance, a lien against said property in amounts directly spent for the care, hospitalization, sustenance or maintenance of said indigents or recipients, provided that no undue hardship or unreasonable monetary loss will result to said persons thereby, and this act shall be liberally construed in order to carry out its purpose.

Section 2. The lien in the amount actually spent in behalf of the recipient or indigent shall be evidenced by a statement of expenditures, sworn to by the welfare director or such agent or employee as may be authorized by the board of county commissioners, and shall be recorded in the office of the clerk of the circuit court of Martin County. The statement of expenditures and the lien created thereby shall, when recorded, be prima facie evidence of the indebtedness to the county and of the security for said indebtedness.

Section 3. The recordation of the statement of expenditures and the lien created thereby shall have the same effect as a mortgage lien, and shall be enforceable by the same procedure as a mortgage in the state of Florida, and all statutes relative

to the enforcement of mortgages in Florida shall be equally applicable to the liens created hereby.

Section 4. The statement of expenditures shall be recorded in the office of the clerk of the circuit court in the official records. The lien shall be applicable to any real or personal property or interest therein presently held or after acquired by the indigent or recipient, whether recorded or unrecorded, until a satisfaction thereof shall be filed with the clerk of the circuit court; provided, that the liens shall be effective for a period of twenty (20) years from the date of the execution of the sworn statement of expenditures and shall become void at the end of said twenty-year period.

Section 5. After the execution and recordation of the said statement of expenditures, the board of county commissioners may, in its discretion, if it determines that an undue hardship or unreasonable monetary loss will occur to the indigent or recipient, waive payment thereof by resolution and, upon the filing of a certified copy of said resolution with the clerk of the circuit court, the lien shall be discharged.

Section 6. It is the legislative intent that if any part of this act shall be held invalid, the remainder shall not be effected.

Section 7. This act shall take effect upon becoming a law. Became a law without the Governor's approval.

Filed in Office Secretary of State June 20, 1967.

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CHAPTER 67-1703

House Bill No. 1772

AN ACT relating to lot cleaning in unincorporated areas of Martin county, Florida; declaring such lot cleaning to be in the interest of public health, safety and welfare; requiring lot owners in such areas to keep the same free of debris, uncultivated vegetation, trash, filth and weeds when the public health, welfare and safety are concerned; authorizing the board of county commissioners of Martin county to require lot owners to clear and clean up such lots; providing proce-