

By Senator Thrasher

8-00628-11

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1 A bill to be entitled

2 An act relating to motor vehicle insurance; amending  
3 s. 627.727, F.S.; revising and limiting the damages  
4 that are recoverable from an uninsured motorist  
5 carrier in a civil action; providing an effective  
6 date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Subsection (10) of section 627.727, Florida  
11 Statutes, is amended to read:

12 627.727 Motor vehicle insurance; uninsured and underinsured  
13 vehicle coverage; insolvent insurer protection.-

14 (10) The damages recoverable from an uninsured motorist  
15 carrier in an action brought under s. 624.155 ~~shall~~ include ~~the~~  
16 ~~total amount of the claimant's damages, including the amount in~~  
17 ~~excess of the policy limits, any~~ unpaid benefits up to the  
18 policy limits, interest on unpaid benefits, reasonable  
19 attorney's fees and costs, and any economic compensatory damages  
20 directly caused by a delay in paying benefits ~~violation of a law~~  
21 ~~of this state. The total amount of the claimant's damages is~~  
22 ~~recoverable whether caused by an insurer or by a third party~~  
23 ~~tortfeasor.~~

24 Section 2. This act shall take effect July 1, 2011.