Senator Richter moved the following:

Senate Amendment to Amendment (435312) (with title amendment)

Delete lines 771 - 776
and insert:

(8) APPLICABILITY OF PROVISION REGULATING ATTORNEY ATTORNEY’S FEES.—With respect to any dispute under the provisions of ss. 627.730-627.7405 between the insured and the insurer, or between an assignee of an insured’s rights and the insurer, the provisions of ss. 627.428 and 768.79 shall apply, except as provided in subsections (10) and (15), and except that any attorney fees recovered must:

(a) Comply with prevailing professional standards;
(b) Appropriately discount the attorney fees for work performed, or capable of being performed, by a paralegal or legal assistant;

(c) Not overstate or inflate the number of hours reasonably necessary for a case of comparable skill or complexity; and

(d) Represent legal services that are reasonable and necessary to achieve the result obtained.

Upon request by either party, a judge must make written findings, substantiated by evidence presented at trial or any hearings associated therewith, that any award of attorney fees complies with this subsection. Notwithstanding s. 627.428, the attorney fees recovered under ss. 627.730-627.7405 must be calculated without regard to a contingency risk multiplier.

And the title is amended as follows:

Delete line 743

and insert:

protection benefits; providing exceptions; providing criteria for the award of attorney fees; prohibiting the use of a contingency risk multiplier; requiring