Senate Amendment (with title amendment)

Between lines 506 and 507
insert:

Section 7. Subsection (12) of section 627.0651, Florida Statutes, is amended to read:

627.0651 Making and use of rates for motor vehicle insurance.—

(12)(a) Any portion of a judgment entered as a result of a statutory or common-law bad faith action and any portion of a judgment entered which awards punitive damages against an insurer may not be included in the insurer’s rate base, and shall not be used to justify a rate or rate change. Any
portion of a settlement entered as a result of a statutory or
common-law bad faith action identified as such and any portion
of a settlement wherein an insurer agrees to pay specific
punitive damages may shall not be used to justify a rate or rate
change. The portion of the taxable costs and attorney fees which is identified as being related to the bad faith and
punitive damages in these judgments and settlements may shall
not be included in the insurer’s rate base and used shall not be
utilized to justify a rate or rate change.

(b) Any portion of a judgment or settlement for taxable
costs and attorney fees in favor of a prevailing plaintiff
against an insurer in a claim for benefits under ss. 627.730-
627.7405, the Florida Motor Vehicle No-Fault Law, may not be
included in the insurer’s rate base and used to justify a rate
or rate change.

And the title is amended as follows:
Between lines 44 and 45
insert:
627.0651, F.S.; prohibiting attorney fees awarded to
plaintiffs in claims for benefits under the Florida
Motor Vehicle No-Fault Law from being included in
insurance rates; amending s.