



760588

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/02/2012	.	
	.	
	.	
	.	

The Committee on Banking and Insurance (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1265 - 1270
and insert:

(8) ATTORNEY APPLICABILITY OF PROVISION REGULATING
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, upon the rendition of a judgment or decree by any court
in this state, the trial court or, upon appeal the appellate
court, shall adjudge or decree a reasonable sum as attorney fees
or compensation for attorney fees in favor of the prevailing



760588

13 party the provisions of s. 627.428 shall apply, except as
14 provided in subsections (10) and (15). In determining a
15 reasonable sum as attorney fees or compensation for attorney
16 fees for a prevailing insured or assignee of such insured's
17 rights, the court may consider the application of a contingency
18 risk multiplier. If awarded, attorney fees or compensation for
19 attorney fees must be included in the judgment or decree
20 rendered in the case.

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete line 79

25 and insert:

26 claims when policy limits are reached; revising
27 provisions relating to attorney fees; consolidating