

hbd-06
3879</W>

Amendment No. ____ (for drafter's use only)

CHAMBER ACTION

<W>Senate</W>

<W>House</W>

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3	.
4	.

ORIGINAL STAMP BELOW

11 Representative(s) Sublette offered the following:

Amendment

14 On page 2, lines 25-31, and on page 3, lines 1-16,
15 remove from the bill: all of said lines

17 and insert in lieu thereof:

18 Section 2. Subsection (5) of section 768.81, Florida
19 Statutes, is amended to read:

20 768.81 Comparative fault.--

21 (5) WORKER'S COMPENSATION.--For the purposes of this
 22 section, an employer as defined in s. 440.02(14),
 23 participating in a worker's compensation eligibility program,
 24 shall not be considered a party in a negligence action and
 25 shall not be listed as a tortfeasor on the jury verdict form
 26 with respect to accidents arising out of work performed in the
 27 course and scope of employment, as described in s. 440.09. Any
 28 payments made by an employer covered by worker's compensation
 29 shall be considered collateral sources as provided in s.

30 ~~768.76. APPLICABILITY OF JOINT AND SEVERAL~~

31 ~~LIABILITY.--Notwithstanding the provisions of this section,~~

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1 ~~the doctrine of joint and several liability applies to all~~
2 ~~actions in which the total amount of damages does not exceed~~
3 ~~\$25,000.~~

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