

Bill No. CS for SB 374

Amendment No.     

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	Senators Laurent, Latvala and Dyer moved the following		
12	amendment:		
13			
14	<b>Senate Amendment (with title amendment)</b>		
15	On page 23, line 1 through page 24, line 18, delete		
16	those lines		
17			
18	and insert:		
19	Section 12. Subsection (3) of section 768.81, Florida		
20	Statutes, is amended, and subsection (5) of that section is		
21	repealed, to read:		
22	768.81 Comparative fault.--		
23	(3) APPORTIONMENT OF DAMAGES.--In cases to which this		
24	section applies, the court shall enter judgment against each		
25	party liable on the basis of such party's percentage of fault		
26	and not on the basis of the doctrine of joint and several		
27	liability; provided that with respect to any party whose		
28	percentage of fault equals or exceeds that of a particular		
29	claimant <u>and whose fault exceeds 25 percent</u> , the court shall		
30	enter judgment with respect to economic damages against that		
31	party on the basis of the doctrine of joint and several		

Bill No. CS for SB 374

Amendment No. \_\_\_\_

1 liability.

2 ~~(5) APPLICABILITY OF JOINT AND SEVERAL~~

3 ~~LIABILITY. Notwithstanding the provisions of this section,~~

4 ~~the doctrine of joint and several liability applies to all~~

5 ~~actions in which the total amount of damages does not exceed~~

6 ~~\$25,000.~~

7

8

9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 2, line 30 through page 3, line 5, delete those  
12 lines

13

14 and insert:

15 certain percentage; repealing s. 768.81(5), F.S.;

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31