

By Representative Carassas

1                                   A bill to be entitled  
2           An act relating to judgments; creating s.  
3           55.032, F.S.; requiring the court to include  
4           prejudgment interest in judgments in actions  
5           for personal injury or wrongful death under  
6           certain circumstances; providing an exception;  
7           providing applicability; providing an effective  
8           date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

11  
12           Section 1.   Section 55.032, Florida Statutes, is  
13   created to read:

14           55.032 Prejudgment interest in personal injury or  
15   wrongful death actions.--

16           (1) In any action for personal injury or wrongful  
17   death in which the plaintiff is entitled to recover costs and  
18   attorney's fees pursuant to s. 768.79, the court shall include  
19   in the judgment interest at the rate specified in s. 55.03 on  
20   the amount of the award, with such interest accruing from the  
21   date of filing of the demand for judgment by the plaintiff or,  
22   if the demand is not filed, from the date of service of the  
23   demand on the defendant.

24           (2) Nothing in this section shall allow prejudgment  
25   interest to be assessed against the state or its agencies or  
26   subdivisions, including hospitals which are owned and operated  
27   by governmental entities or their agents and employees.

28           Section 2.   This act shall take effect October 1, 2001,  
29   and shall apply to all suits pending on the effective date of  
30   this act or thereafter filed. In the case of suits pending on  
31

1 the effective date of this act, prejudgment interest shall  
2 begin to run 30 days after the effective date of this act.

3  
4 \*\*\*\*\*

5 HOUSE SUMMARY

6 Requires the court to include prejudgment interest in any  
7 action for personal injury or wrongful death. Provides an  
8 exception with respect to the state or its agencies or  
subdivisions. See bill for details.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31