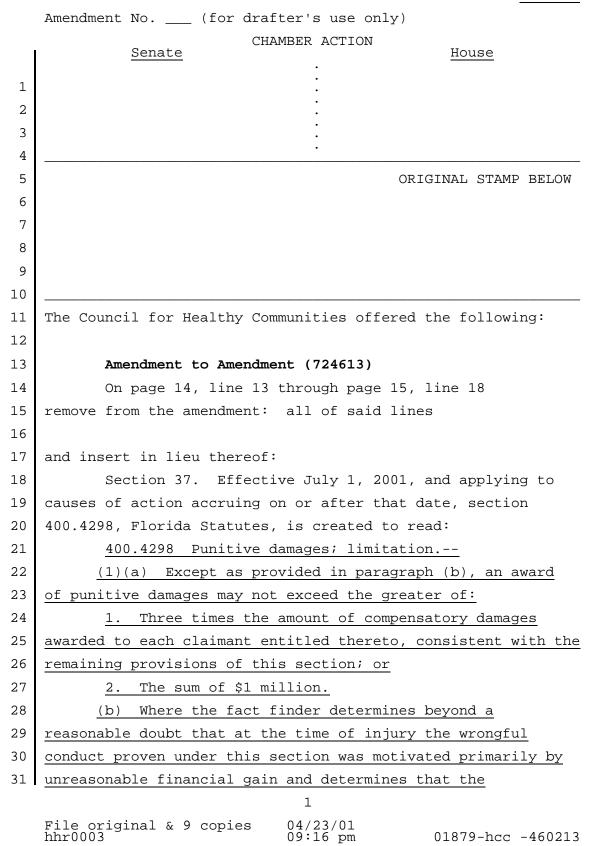
HOUSE AMENDMENT

Bill No. HB 1879



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

unreasonably dangerous nature of the conduct, together with 1 2 the high likelihood of injury resulting from the conduct, was 3 actually known by the managing agent, director, officer, or 4 other person responsible for making policy decisions on behalf 5 of the defendant, or at the time of injury the defendant had a 6 specific intent to harm the claimant and the finder of fact 7 determines by clear and convincing evidence that the defendant's conduct did in fact harm the claimant, there shall 8 9 be no cap on punitive damages. 10 (c) This subsection is not intended to prohibit an appropriate court from exercising its jurisdiction under s. 11 768.74 in determining the reasonableness of an award of 12 13 punitive damages that is less than three times the amount of 14 compensatory damages. 15 (2) The claimant's attorney's fees, if payable from the judgment, are, to the extent that the fees are based on 16 17 the punitive damages, calculated based on the final judgment 18 for punitive damages. This subsection does not limit the payment of attorney's fees based upon an award of damages 19 other than punitive damages. 20 The jury may neither be instructed nor informed as 21 (3) to the provisions of this section. 22 23 24 25 26 27 28 29 30 31 2

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