

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Council for Smarter Government offered the following:

**Amendment (with title amendment)**

On page 13, between lines 23 and 24, of the bill

insert: Section 8. Sections 45.051, Florida Statutes, is amended to read : 45.051 Execution of supersedeas bond when required of the state or its political subdivisions.--

(1) When a supersedeas bond is required by the appellate court under Rule 9.310(b)(2), Florida Rules of Appellate Procedure or an appeal or other proceeding is taken in any court and there is no court rule or statute exempting the parties from giving supersedeas, cost, or other required bond, the parties are authorized to make and execute the required bond with a corporate surety thereon duly licensed to do business in this state. The premium or other cost for the bond may be paid from the general necessary and regular appropriation of the party taking the appeal, in the case of the state or any of its officers, boards, commissioners or other agencies, and from the county general fund, district school general fund, or otherwise as the case may be, in the

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1 case of a political subdivision of the state or any of its  
2 officers, boards, commissions or other agencies. The officers  
3 of the state and its political subdivisions and the executive  
4 officers of their boards, commissions, and other agencies  
5 aforesaid, are authorized to make and execute the bonds on  
6 behalf of the parties.

7 (2) In connection with an appeal taken by a state  
8 employee or official of a judgement against that employee or  
9 official in an individual capacity, as part of the legal  
10 defense being provided by the state risk management program,  
11 the Division of Risk Management may enter into an  
12 indemnification agreement for the purpose of securing an  
13 appellate supersedeas bond, provided that, under any such  
14 agreement, the liability of the State of Florida is limited to  
15 the amount of the judgment being appealed and any costs  
16 imposed by law or the appropriate court.

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

20 And the title is amended as follows:

21 On page 2, line 5,  
22 remove from the title of the bill: said line

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and insert in lieu thereof:  
25 party; amending s. 45.051, F.S.; authorizing  
26 the Division of Risk Management to enter into  
27 indemnification agreements for supersedeas  
28 bonds; amending s. 45.062.; providing

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