

Bill No. CS for SB 822

Amendment No.      Barcode 132760

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Dyer moved the following amendment:

**Senate Amendment (with title amendment)**

On page 17, between lines 3 and 4,

insert:

Section 12. Section 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

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1 other agencies, and from the county general fund, district  
 2 school general fund, or otherwise as the case may be, in the  
 3 case of a political subdivision of the state or any of its  
 4 officers, boards, commissions or other agencies. The officers  
 5 of the state and its political subdivisions and the executive  
 6 officers of their boards, commissions, and other agencies  
 7 aforesaid, are authorized to make and execute the bonds on  
 8 behalf of the parties.

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

19  
 20 (Redesignate subsequent sections.)

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 22  
 23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 2, line 22, after the first semicolon,

26  
 27 insert:

28 amending s. 45.051, F.S.; authorizing the  
 29 Division of Risk Management to enter into  
 30 indemnification agreements for supersedeas  
 31 bonds;