

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Seiler offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 828 and 829, insert:

5 Section 15. Paragraph (a) of subsection (3) of section
6 766.209, Florida Statutes, is amended to read:

7 766.209 Effects of failure to offer or accept voluntary
8 binding arbitration.--

9 (3) If the defendant refuses a claimant's offer of
10 voluntary binding arbitration:

11 (a) The claim shall proceed to trial, and the claimant,
12 upon proving medical negligence, shall be entitled to recover
13 damages ~~subject to the limitations in s. 766.118~~, prejudgment
14 interest, and reasonable attorney's fees up to 25 percent of the
15 award reduced to present value.

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16 Section 16. Section 766.118, Florida Statutes, is
17 repealed.

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

20 Remove line(s) 80, and insert:
21 amending s. 766.209, F.S., to conform; repealing s. 766.118,
22 F.S., relating to determinations of noneconomic damages;
23 providing an effective date.