

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Harrington offered the following:

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3 **Amendment (with directory and title amendments)**

4 Between line(s) 2403 and 2404, insert:

5 Section 56. Subsection (5) is added to section 106.265,

6 Florida Statutes, to read:

7 106.265 Civil penalties.--

8 (5) In any case in which the commission determines that a

9 person has filed a complaint against another person with a

10 malicious intent to injure the reputation of the person

11 complained against by filing the complaint with knowledge that

12 the complaint contains one or more false allegations or with

13 reckless disregard for whether the complaint contains false

14 allegations of fact material to a violation of this chapter or

15 chapter 104, the complainant shall be liable for costs and

16 reasonable attorney's fees incurred in the defense of the person

006809

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17 complained against, including the costs and reasonable
 18 attorney's fees incurred in proving entitlement to and the
 19 amount of costs and fees. If the complainant fails to pay such
 20 costs and fees voluntarily within 30 days following such finding
 21 by the commission, the commission shall forward such information
 22 to the Department of Legal Affairs, which shall bring a civil
 23 action in a court of competent jurisdiction to recover the
 24 amount of such costs and fees awarded by the commission.

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 26 ===== T I T L E A M E N D M E N T =====
 27 Remove line(s) 169 and insert:
 28 specifying bases for determining probable cause; amending s.
 29 106.265, F.S.; providing liability of complainants for costs and
 30 reasonable attorney's fees under certain circumstances;
 31 providing for civil actions to collect such costs and fees;
 32 amending