

Bill No. SB 2574, 1st Eng.

Amendment No. ____ Barcode 821154

CHAMBER ACTION

Senate

House

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Senator Garcia moved the following amendment:

Senate Amendment

On page 7, line 8, through
page 8, line 5, delete those lines

and insert: penalty as provided in section 668.6075. A cause of action, without regard to any other remedy or relief to which a person is entitled, including the right to seek declaratory and injunctive relief against a person who initiates or assists in the transmission of a commercial electronic mail message that violates, has violated, or is otherwise likely to violate s. 668.603, is also available to an interactive computer service, telephone company, or cable provider that handles or retransmits the commercial electronic mail message.

(2) This part does not create a cause of action against an interactive computer service, telephone company, or cable provider whose equipment is used to transport, handle, or retransmit a commercial electronic mail message that violates s. 668.603.

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1 (3) A prevailing plaintiff in an action filed under
2 this part is entitled to:

3 (a) An injunction to enjoin future violations of s.
4 668.603.

5 (b) Compensatory damages equal to any actual damage
6 proven by the plaintiff to have resulted from the initiation
7 of the unsolicited commercial electronic mail message or
8 liquidated damages of \$500 for each unsolicited commercial
9 electronic mail message that violates s. 668.603.

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