

Bill No. CS for SB 1010

Barcode 683938

CHAMBER ACTION

Senate

House

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The Committee on Judiciary (Aronberg) recommended the following amendment:

Senate Amendment (with title amendment)

On page 16, between lines 2 and 3,

insert:

Section 9. Paragraph (d) of subsection (3) of section 57.111, Florida Statutes, is amended to read:

57.111 Civil actions and administrative proceedings initiated by state agencies; attorneys' fees and costs.--

(3) As used in this section:

(d) The term "small business party" means:

1.a. A sole proprietor of an unincorporated business, including a professional practice, whose principal office is in this state, who is domiciled in this state, and whose business or professional practice has, at the time the action is initiated by a state agency, not more than 25 full-time employees or a net worth of not more than \$2 million, including both personal and business investments; ~~or~~

b. A partnership or corporation, including a

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1 professional practice, which has its principal office in this
2 state and has at the time the action is initiated by a state
3 agency not more than 25 full-time employees or a net worth of
4 not more than \$2 million; ~~or~~

5 c. An individual whose net worth did not exceed \$2
6 million at the time the action is initiated by a state agency,
7 including a sole shareholder of a subchapter S corporation, an
8 individual working for a corporation when the individual and
9 the corporation are one and the same entity, employees of a
10 private or governmental entity who is forced to litigate
11 against state agency action taken against the entity, or an
12 individual when an action is brought against that individual's
13 license to operate; or

14 d. Any other person whose net worth did not exceed \$2
15 million at the time the action is initiated by a state agency;
16 or

17 2. Any ~~Either~~ small business party as defined in
18 subparagraph 1., without regard to the number of its employees
19 or its net worth, in any action under s. 72.011 or in any
20 administrative proceeding under that section to contest the
21 legality of any assessment of tax imposed for the sale or use
22 of services as provided in chapter 212, or interest thereon,
23 or penalty therefor.

24
25 (Redesignate subsequent sections.)

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

29 And the title is amended as follows:

30 On page 1, line 31, after the semicolon,

31

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1 insert:

2 amending s. 57.111, F.S.; redefining the term
3 "small business" to include certain specified
4 individuals whose net worth does not exceed a
5 specified amount;

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