

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Simmons offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 27-39 and insert:

5 (1) The Legislature finds that nationwide class action
6 lawsuits brought in Florida state courts can pose an
7 unreasonable burden, in certain circumstances, on the judicial
8 system at potentially great expense to Florida taxpayers with
9 minimal benefits for Florida residents. The Legislature further
10 finds that nationwide class action lawsuits brought in Florida
11 state courts can result in cases of nationwide importance not
12 being heard in the federal courts, can result in forum shopping
13 not based on the jurisdiction with the greatest connection to
14 the controversy, and can result in one state's imposing its view

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15 of the law on other states and binding the rights of the
16 residents of those states.

17 (2)(a) In any action asserting the right to class action
18 status, the claimant class with capacity to sue shall be limited
19 to residents of this state at the time of the alleged
20 misconduct, except as provided in paragraph (b).

21 (b) Prior to issuance of the certification order, the
22 court may expand a class to include any nonresident whose claim
23 is recognized within the claimant's state of residence and is
24 not time barred, but whose rights cannot be asserted because the
25 claimant's state of residence lacks personal jurisdiction over
26 the defendant or defendants. In addition, the claimant class may
27 include nonresidents if the conduct giving rise to the claim
28 occurred in this state.

29 (3) Notwithstanding any law to the contrary, in order to

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

32 Remove line 7 and insert:
33 774.01, F.S.; providing legislative findings; providing
34 requirements for capacity to file