

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Kottkamp offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 2080 and 2081, insert:

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6 Section 34. Section 59.061, Florida Statutes, is created
7 to read:

8 59.061 Appeal from nonfinal orders based on claims or
9 defenses arising under free speech or free press clause of the
10 First Amendment to the United States Constitution, s. 4, Art. I
11 of the State Constitution, or chapter 770.--The Legislature
12 requests that the Florida Supreme Court enact a Rule of
13 Appellate Procedure which authorizes an appeal to the district
14 courts of appeal of a nonfinal order denying a motion for
15 summary judgment based upon a claim against or defense by a

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16 party whose communication appears in or is published by the
 17 electronic or print media, or a member of the electronic or
 18 print media, acting in such capacity, arising under the free
 19 speech or free press clause of the First Amendment to the United
 20 States Constitution, or s. 4, Art. I of the State Constitution,
 21 or chapter 770. Such summary judgment orders that may be
 22 appealed include, but are not limited to, orders addressing free
 23 speech or free press claims or defenses in actions for libel or
 24 slander, invasion of privacy, or any other tort founded upon a
 25 publication or broadcast.

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

29 Remove line 197 and insert:

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31 creating s. 59.061, F.S., relating to appeals of claims or
 32 defenses arising under the free speech or free press
 33 clauses of the United States Constitution, the Florida
 34 Constitution, or ch. 770, F.S.; directing the Legislature
 35 to request that the Florida Supreme Court enact a Rule of
 36 Appellate Procedure which authorizes such appeals;
 37 creating s. 57.082, F.S., relating to the determination of

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