

By Senator Alexander

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A bill to be entitled

An act relating to attorney's fees; amending s. 627.428, F.S.; prohibiting the application of a contingency risk multiplier in the award of attorney's fees in suits based on claims arising under the Florida Motor Vehicle No-Fault Law except in certain circumstances; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) is added to section 627.428, Florida Statutes, to read:

627.428 Attorney's fee.--

(4) As to suits based on claims arising under ss. 627.730-627.7405, a contingency risk multiplier may not be applied to adjust attorney's fees unless the court finds that the case was exceptional in that it resulted in a decision creating new law.

Section 2. This act shall take effect July 1, 2005.

SENATE SUMMARY

Prohibits the application of a contingency risk multiplier in the award of attorney's fees in suits based on claims arising under the Florida Motor Vehicle No-Fault Law except in certain circumstances.