

Bill No. CS for SB 2564

Barcode 405830

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

2a/AD/2R
05/05/2005 07:55 PM

.
. .
. .
. .
. .
. .

Senators Smith and Saunders moved the following **amendment to substitute amendment** (240980):

Senate Amendment (with title amendment)

On page 1, line 15, through
page 2, line 2, delete those lines

and insert:

On page 2, lines 1-15, delete those lines

and insert:

(2) Notwithstanding any law to the contrary, in order to maintain a class action seeking monetary relief, the class must allege and prove actual damages. In any such class action, the monetary recovery shall be limited to equitable relief, if appropriate, and the amount of actual damages. Nothing in this section shall be construed to limit or restrict the ability of the Attorney General to bring a class action for the recovery of statutory penalties, if otherwise authorized by law. However, class action claimants may seek to obtain, if appropriate, nonmonetary relief, including

Bill No. CS for SB 2564

Barcode 405830

1 injunctive relief and orders, declaratory relief and orders,
 2 judgments enjoining wrongful conduct, or equitable relief,
 3 regardless of whether the class action claimants can prove any
 4 actual monetary damages. Nothing in this section shall be
 5 construed to in any way limit or restrict the availability of
 6 such nonmonetary relief nor does this section limit any remedy
 7 available under chapter 501, 772, or 760, Florida Statutes.

8
9

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

11 And the title is amended as follows:

12 On page 2, line 7-11, delete those lines

13

14 and insert:

15 On page 1, line 9, after the word "than"

16

17 insert: equitable relief and

18
19
20
21
22
23
24
25
26
27
28
29
30
31