

Bill No. CS for SB 2566

Barcode 385940

CHAMBER ACTION

Senate

House

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Senator Webster moved the following amendment:

**Senate Amendment (with title amendment)**

On page 2, line 17, through page 5, line 28, delete those lines

and insert:

Section 2. Paragraph (b) of subsection (4) of section 768.81, Florida Statutes, is amended to read:

(4) APPLICABILITY.--

(b) This section does not apply to any action brought by any person to recover actual economic damages resulting from pollution, to any action based upon an intentional tort that occurs in an indoor area of a business, or to any cause of action as to which application of the doctrine of joint and several liability is specifically provided by chapter 403, chapter 498, chapter 517, chapter 542, or chapter 895.

Section 3. Section 768.0710, Florida Statutes, is repealed.

Section 4. For the purpose of incorporating the amendment made by this act to section 768.81, Florida

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1 Statutes, in references thereto, section 25.077, Florida

2 Statutes, is reenacted to read:

3           25.077 Negligence case settlements and jury verdicts;  
4 case reporting.--Through the state's uniform case reporting  
5 system, the clerk of court shall report to the Office of the  
6 State Courts Administrator, beginning in 2003, information  
7 from each settlement or jury verdict and final judgment in  
8 negligence cases as defined in s. 768.81(4), as the President  
9 of the Senate and the Speaker of the House of Representatives  
10 deem necessary from time to time. The information shall  
11 include, but need not be limited to: the name of each  
12 plaintiff and defendant; the verdict; the percentage of fault  
13 of each; the amount of economic damages and noneconomic  
14 damages awarded to each plaintiff, identifying those damages  
15 that are to be paid jointly and severally and by which  
16 defendants; and the amount of any punitive damages to be paid  
17 by each defendant.

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19 (Redesignate subsequent sections)

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

23 And the title is amended as follows:

24           On page 1, lines 12-25, delete those lines

25

26 and insert:

27           circumstantial evidence; amending s. 768.81, F.S.;

28 providing for the apportionment of damages to an intentional

29 tortfeasor for intentional torts that occur in the outdoor

30 areas of a business; repealing s. 768.0710, F.S., relating to

31 the duty to maintain premises in a reasonably safe condition

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1 for the safety of business invitees; reenacting s. 25.077,  
2 F.S., relating to the duty of the clerk of court to report  
3 certain information concerning negligence cases, to  
4 incorporate the amendment made to s. 768.81, F.S., in a  
5 reference thereto;

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