

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representatives Seiler and Joyner offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 74 and 75, insert:

5 Section 2. Paragraph (a) of subsection (3) of section
6 766.209, Florida Statutes, is amended to read:

7 766.209 Effects of failure to offer or accept voluntary
8 binding arbitration.--

9 (3) If the defendant refuses a claimant's offer of
10 voluntary binding arbitration:

11 (a) The claim shall proceed to trial, and the claimant,
12 upon proving medical negligence, shall be entitled to recover
13 damages ~~subject to the limitations in s. 766.118~~, prejudgment
14 interest, and reasonable attorney's fees up to 25 percent of the
15 award reduced to present value.

16 Section 3. Section 766.118, Florida Statutes, is repealed.

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18 | ===== T I T L E A M E N D M E N T =====

19 | Remove line 5 and insert:

20 | instead of joint and several liability; amending s. 766.209,
21 | F.S.; deleting a cross-reference; repealing s. 766.118, F.S.,
22 | relating to determination of noneconomic damages; providing