

Bill No. PCS for SB 2114 (340598)

Barcode 771144

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Comm: WD
03/29/2006 11:54 AM

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The Committee on Banking and Insurance (Baker) recommended the following amendment:

Senate Amendment (with title amendment)

On page 49, between lines 22 and 23,

insert:

Section 2. Subsection (9) is added to section 627.7295, Florida Statutes, to read:

627.7295 Motor vehicle insurance contracts.--

(9) An action for interpleader or in the nature of interpleader may be brought against two or more adverse claimants who claim or may claim entitlement to benefits that may be available pursuant to a policy of motor vehicle insurance. The claims of the several defendants need not have a common origin or be identical but may be adverse to and independent of each other. The plaintiff may deny liability in whole or in part to any or all of the defendants. A defendant may likewise obtain interpleader by way of counterclaim or cross-claim. The complaint for interpleader shall specify the nature and value of the benefits and must be accompanied by

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1 payment or tender into court of the benefits available. The
 2 complaint may request, and the court may grant prior to the
 3 entry of an order of interpleader, appropriate ancillary
 4 relief, including, but not limited to, preliminary injunctive
 5 relief. Interpleading of policy limits shall be prima facie
 6 evidence of good faith on the part of the insurance company.
 7 No part of this section limits in any way the joinder of
 8 parties otherwise permitted by the law of this state.

9
 10 (Redesignate subsequent sections.)

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 12

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

14 And the title is amended as follows:

15 On page 2, line 20, following the first semicolon

16

17 insert:

18 amending s. 627.7295, F.S.; providing for
 19 interpleader when there are multiple claimants
 20 of benefits under a policy of motor vehicle
 21 insurance;

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