

1 A bill to be entitled
 2 An act relating to offers of settlement; amending s.
 3 768.79, F.S.; providing for offers of settlement when an
 4 alleged actively negligent defendant and a defendant
 5 alleged to be vicariously, constructively, derivatively,
 6 or technically liable for the actively negligent defendant
 7 are sued in the same case; providing an effective date.

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

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 11 Section 1. Paragraph (b) of subsection (2) of section
 12 768.79, Florida Statutes, is amended to read:

13 768.79 Offer of judgment and demand for judgment.--

14 (2) The making of an offer of settlement which is not
 15 accepted does not preclude the making of a subsequent offer. An
 16 offer must:

17 (b) Name the party making it and the party to whom it is
 18 being made. Where an alleged actively negligent defendant and a
 19 defendant alleged to be vicariously, constructively,
 20 derivatively, or technically liable for the alleged actively
 21 negligent defendant are sued in the same case:

22 1. There shall be no separate offers made to such
 23 defendants, and the plaintiff shall serve one offer of
 24 settlement to such defendants with a single sum applicable to
 25 both. This single sum shall be considered the total amount for
 26 purposes of paragraph (d).

27 2. An offer of settlement made by such defendants may be
 28 for a single sum offered jointly by such defendants. This single

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29 sum shall be considered the total amount for purposes of
30 paragraph (d).

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32 The offer shall be construed as including all damages which may
33 be awarded in a final judgment.

34 Section 2. This act shall take effect July 1, 2007.