

By Senator Hill

1-01833-09

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1 A bill to be entitled

2 An act relating to wrongful death coverage; amending
3 s. 768.21, F.S.; prohibiting certain insurance
4 policies from including family exclusions for wrongful
5 death claims; providing applicability; providing an
6 effective date.

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

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10 Section 1. Subsection (9) is added to section 768.21,
11 Florida Statutes, to read:

12 768.21 Damages.—All potential beneficiaries of a recovery
13 for wrongful death, including the decedent's estate, shall be
14 identified in the complaint, and their relationships to the
15 decedent shall be alleged. Damages may be awarded as follows:

16 (9) A motor vehicle liability insurance policy which
17 provides bodily injury liability coverage may not, on the basis
18 that the decedent or a claimant is an insured, a relative of an
19 insured, or a member of the household of an insured, exclude
20 insurance coverage for damages that are recoverable under this
21 section.

22 Section 2. This act shall take effect July 1, 2009, and
23 applies to motor vehicle insurance policies entered into or
24 renewed on or after that date.