



954434

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2010	.	
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The Committee on Health Regulation (Bennett) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 179 and 180  
insert:

Section 9. Section 320.697, Florida Statutes, is amended to read:

320.697 Civil damages.—Any person who has suffered pecuniary loss or who has been otherwise adversely affected because of a violation by a licensee or motor vehicle dealer of ss. 320.60-320.70, notwithstanding the existence of any other remedies under ss. 320.60-320.70, has a cause of action against the licensee or motor vehicle dealer for damages and may recover



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13 actual damages therefor in any court of competent jurisdiction  
14 ~~in an amount equal to 3 times the pecuniary loss~~, together with  
15 costs and a reasonable attorney's fee to be assessed by the  
16 court. Upon a prima facie showing by the person bringing the  
17 action that such a violation by the licensee or motor vehicle  
18 dealer has occurred, the burden of proof shall then be upon the  
19 licensee or motor vehicle dealer to prove that such violation or  
20 unfair practice did not occur.

21  
22 ===== T I T L E   A M E N D M E N T =====

23 And the title is amended as follows:

24       Delete line 25

25 and insert:

26       in a reference thereto; amending s. 320.697, F.S.;

27       authorizing actions for civil damages against motor

28       vehicle dealers; providing an effective date.