



832304

LEGISLATIVE ACTION

Senate

House

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Floor: 2/AD/2R

03/15/2011 11:21 AM

Senator Simmons moved the following:

Senate Amendment (with title amendment)

Delete lines 24 - 39

and insert:

(a) "Accident" means the events and actions that relate to the incident as well as those events and actions that relate to the alleged defect or injuries, including enhanced injuries.

(b) "Economic damages" means past lost income and future lost income reduced to present value; medical and funeral expenses; lost support and services; replacement value of lost personal property; loss of appraised fair market value of real property; costs of construction repairs, including labor, overhead, and profit; and any other economic loss that ~~which~~



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14 would not have occurred but for the injury giving rise to the
15 cause of action.

16 (c) "Negligence action" means, without limitation, a civil
17 action for damages based upon a theory of negligence; strict
18 liability; products liability; or professional malpractice,
19 whether couched in terms of contract, tort, or breach of
20 warranty and like theories. The substance of an action, not
21 conclusory terms used by a party, determines whether an action
22 is a negligence action.

23 (d) "Products liability action" means a civil action based
24

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

26 And the title is amended as follows:

27 Delete line 3

28 and insert:

29 F.S.; defining the terms "accident," "negligence
30 action," and