



104666

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/02/2012	.	
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The Committee on Banking and Insurance (Gaetz) recommended the following:

1           **Senate Substitute for Amendment (527256) (with title**  
2 **amendment)**

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4           Delete lines 1265 - 1270  
5 and insert:

6           (8) ATTORNEY APPLICABILITY OF PROVISION REGULATING  
7 ATTORNEY'S FEES.—With respect to any dispute under the  
8 provisions of ss. 627.730-627.7405 between the insured and the  
9 insurer, or between an assignee of an insured's rights and the  
10 insurer, upon the rendition of a judgment or decree by any court  
11 in this state, the trial court or, upon appeal the appellate  
12 court, shall adjudge or decree a reasonable sum as attorney fees



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13 or compensation for attorney fees in favor of the prevailing  
14 party ~~the provisions of s. 627.428 shall apply,~~ except as  
15 provided in subsections (10) and (15). In determining a  
16 reasonable sum as attorney fees or compensation for attorney  
17 fees for a prevailing insured or assignee of such insured's  
18 rights, the court may consider the application of a contingency  
19 risk multiplier. If awarded, attorney fees or compensation for  
20 attorney fees must be included in the judgment or decree  
21 rendered in the case.

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

24 And the title is amended as follows:

25 Delete line 79

26 and insert:

27 claims when policy limits are reached; revising  
28 provisions relating to attorney fees; consolidating