

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Rodríguez, J. offered the following:

Amendment (with title amendment)

Remove lines 16-57 and insert:

or the spouse or dependent child of a military servicemember;
civil penalties; presumption.-

(1) As used in this section, the term:

(a)-(d) "Major life activities" means functions associated with the normal activities of independent daily living, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(b)-(e) "Mental or educational impairment" means:

1. A ~~Any~~ mental or psychological disorder or specific learning disability.

Amendment No.

15 2. An ~~Any~~ educational deficiency that ~~which~~ substantially
16 affects a person's ability to read and comprehend the terms of
17 any contractual agreement entered into.

18 (c) "Military servicemember" means a person who is on
19 active duty in, or a veteran of, the United States Armed Forces.

20 1. "Active duty" has the same meaning as provided in s.
21 250.01.

22 2. "Veteran" has the same meaning as provided in s. 1.01.

23 (d) ~~(b)~~ "Handicapped Person who has a disability" means a
24 any person who has a mental or educational impairment that ~~which~~
25 substantially limits one or more major life activities.

26 (e) ~~(a)~~ "Senior citizen" means a person who is 60 years of
27 age or older.

28 (2) A ~~Any~~ person who is willfully using, or has willfully
29 used, a method, act, or practice in violation of this part,
30 which ~~method, act, or practice~~ victimizes or attempts to
31 victimize a senior citizen ~~citizens~~ or a person who has a
32 disability ~~handicapped persons, and commits such violation when~~
33 ~~she or he knew or should have known that her or his conduct was~~
34 ~~unfair or deceptive,~~ is liable for a civil penalty of not more
35 than \$15,000 for each such violation if she or he knew or should
36 have known that her or his conduct was unfair or deceptive.

37 (3) A person who is willfully using, or has willfully
38 used, a method, act, or practice in violation of this part
39 directed at a military servicemember or the spouse or dependent
40 child of a military servicemember is liable for a civil penalty
41 of not more than \$15,000 for each such violation if she or he

Amendment No.

42 knew or should have known that her or his conduct was unfair or
43 deceptive.

44 (4)-(3) An ~~Any~~ order of restitution or reimbursement based
45 on a violation of this part committed against a senior citizen,
46 a ~~or handicapped~~ person who has a disability, a military
47 servicemember, or the spouse or dependent child of a military

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50 **T I T L E A M E N D M E N T**

51 Remove line 7 and insert:
52 or the servicemember's spouse or dependent child in
53 certain