

Amendment No. 1a

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Dudley offered the following:

Amendment to Amendment (350481) by Representative Gaetz

5 Remove lines 46-63 of the amendment and insert:

6 (b)1. A dealer and its employees, agents, principals,
 7 sureties, and insurers may not be required to pay the attorney
 8 fees of the claimant in any action brought under this chapter
 9 if:

10 a. The dealer, within 30 business days after receipt of
 11 the demand letter, notifies the claimant in writing, and a court
 12 or arbitrator agrees, that the amount sought in the demand
 13 letter is not supported by the facts of the transaction or event
 14 described in the demand letter or if the demand letter includes
 15 items not properly recoverable under this chapter; or

16 b. The claimant fails to materially comply with this
 17 section; however, to the extent that there is a challenge to the
 18 sufficiency of the demand letter, the demand letter shall be
 19 deemed satisfactory if it contains sufficient information to
 20 adequately put the dealer on notice of the nature of the claim

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21 and the relief sought such that the dealer could appropriately
22 respond.

23 2. This paragraph does not limit a consumer's right to
24 attorney fees in a meritorious case.

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