

1 A bill to be entitled
 2 An act relating to civil remedies for terrorism;
 3 creating s. 772.13, F.S.; creating a cause of action
 4 relating to terrorism; specifying a measure of
 5 damages; prohibiting claims by specified individuals;
 6 providing for attorney fees and court costs; providing
 7 construction; providing an effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Section 772.13, Florida Statutes, is created to
 12 read:

13 772.13 Civil remedy for terrorism or facilitating or
 14 furthering terrorism.-

15 (1) A person who is injured by an act of terrorism as
 16 defined in s. 775.30 or a violation of a law for which the
 17 penalty is increased pursuant to s. 775.31 for facilitating or
 18 furthering terrorism has a cause of action for threefold the
 19 actual damages sustained and, in any such action, is entitled to
 20 minimum damages in the amount of \$1,000 and reasonable attorney
 21 fees and court costs in the trial and appellate courts.

22 (2) A person injured by reason of his or her participation
 23 in the same act or transaction that resulted in the act of
 24 terrorism or resulted in the defendant's penalty increase
 25 pursuant to s. 775.31 may not bring a claim under this section.

26 (3) The defendant is entitled to recover reasonable

CS/HB 3

2016

27 attorney fees and court costs in the trial and appellate courts
28 upon a finding that the claimant raised a claim that was without
29 support in fact or law.

30 (4) In awarding attorney fees and court costs under this
31 section, the court may not consider the ability of the opposing
32 party to pay such fees and court costs.

33 (5) This section does not limit a right to recover
34 attorney fees or court costs under other provisions of law.

35 Section 2. This act shall take effect July 1, 2016.