



846406

LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Brandes) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 19 and 20

insert:

(1) Upon the rendition of a judgment or decree by any of the courts of this state against an insurer and in favor of any named or omnibus insured or the named beneficiary under a policy or contract executed by the insurer, the trial court or, in the event of an appeal in which the insured or beneficiary prevails, the appellate court shall adjudge or decree against the insurer and in favor of the named or omnibus insured or named



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12 beneficiary a reasonable sum as fees or compensation for the
13 named or omnibus insured's or named beneficiary's attorney
14 prosecuting the suit in which the recovery is had. An assignee
15 of an insurance claim may not, in any event, recover fees under
16 this section.

17
18 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

19 And the directory clause is amended as follows:

20 Delete lines 17 - 18

21 and insert:

22 Section 2. Subsection (1) of section 627.428, Florida
23 Statutes, is amended, and subsection (4) is added to that
24 section, to read:

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

27 And the title is amended as follows:

28 Delete lines 2 - 6

29 and insert:

30 An act relating to insurance-related attorney fees;
31 amending s. 627.062, F.S.; providing that attorney
32 fees paid pursuant to specified provisions may not be
33 included in an insurer's base rate and may not be used
34 to justify a rate or rate change; amending s. 627.428,
35 F.S.; revising the insureds or beneficiaries who may
36 recover attorney fees in certain judgments against
37 insurers; prohibiting assignees of insurance claims
38 from recovering such attorney fees in any event;
39 providing that attorney fees paid pursuant to
40 specified provisions may not be included in an



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41 insurer's base rate and may not be used to justify a
42 rate or rate change; providing an