

By Senator Steube

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1 A bill to be entitled

2 An act relating to prejudgment interest; creating s.
3 55.035, F.S.; requiring a court to include interest in
4 a final judgment in an action from which a plaintiff
5 recovers economic or noneconomic damages; specifying
6 the dates from which interest accrues; requiring a
7 court to include interest on attorney fees and costs
8 in the final judgment, if recovered; specifying the
9 rate at which interest accrues; providing for
10 applicability; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 55.035, Florida Statutes, is created to
15 read:

16 55.035 Prejudgment interest.-

17 (1) In any action in which a plaintiff recovers economic or
18 noneconomic damages, the court shall include interest on each
19 component of damages in the final judgment.

20 (a) For economic damages, interest accrues from the date of
21 the loss of an economic benefit to the plaintiff.

22 (b) For noneconomic damages, interest accrues from the date
23 of the claim made by the plaintiff.

24 (2) If the plaintiff recovers attorney fees or costs, the
25 court shall include in the final judgment interest on such fees
26 or costs beginning on the first day of the month immediately
27 following the month in which fees or costs were paid.

28 (3) The rate of interest applicable to this section is the
29 rate established pursuant to s. 55.03. Interest may not accrue
30 on the prejudgment interest awarded in the final judgment.

31 (4) For any action to which prejudgment interest applies
32 which is pending on July 1, 2017, or commenced thereafter, the

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33 court shall provide interest in accordance with this section,
34 with such interest accruing from no earlier than July 1, 2017,
35 regardless of the date when losses were incurred, the claim was
36 made, or attorney fees or costs were paid.

37 Section 2. This act shall take effect July 1, 2017.