

By the Committee on Judiciary; and Senator Steube

590-01947-17

2017334c1

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 construction and applicability; providing an effective
11 date.

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

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

17 55.035 Prejudgment interest.-

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

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

23 (b) For noneconomic damages, interest accrues from the date
24 the defendant received notice of a claim from the plaintiff.

25 (2) If the plaintiff recovers attorney fees or costs, the
26 court shall include in the final judgment interest on such fees
27 or costs beginning on the date the entitlement to attorney fees
28 is fixed through an agreement, an arbitration award, or a court
29 determination.

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30 (3) The rate of interest applicable to this section is the
31 rate established pursuant to s. 55.03.

32 Section 2. This act does not affect the accrual of
33 prejudgment interest before the effective date of the act if
34 otherwise authorized by statute or common law.

35 Section 3. This act shall take effect July 1, 2017, and
36 shall apply to causes of action that accrue on or after that
37 date.