

ENROLLED

HB 65

2017 Legislature

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An act relating to civil remedies for terrorism;
 creating s. 772.13, F.S.; creating a cause of action
 relating to terrorism; specifying a measure of
 damages; prohibiting claims by specified individuals;
 providing for attorney fees and court costs; providing
 construction; providing an effective date.

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

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

772.13 Civil remedy for terrorism or facilitating or
 furthering terrorism.—

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

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

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26 (3) The defendant is entitled to recover reasonable
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 costs under other provisions of law.

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