



292360

LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 03/19/2019 | . | |
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The Committee on Judiciary (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 21 - 39
and insert:

(1) As used in this section, the term "attorney fees and costs" means the reasonable and necessary attorney fees and costs incurred for all preparations, motions, hearings, trials, and appeals in a proceeding.

(2) If a civil action is filed against a local government to challenge the adoption or enforcement of a local ordinance on the grounds that it is preempted by the State Constitution or by



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12 state law, the court shall assess and award reasonable attorney
13 fees and costs and damages, including prejudgment interest and
14 costs, to the prevailing party.

15 (3) Attorney fees and costs may not be awarded pursuant to
16 this section if the local government withdraws or repeals an
17 ordinance that the court determined was preempted within 21 days
18 after the earlier of:

19
20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 Delete lines 3 - 7

23 and insert:

24 s. 57.112, F.S.; defining the term "attorney fees and
25 costs"; providing for award of attorney fees and costs
26 and damages in civil actions challenging