

By Senator Gruters

23-01441-22

20221910\_\_

1                   A bill to be entitled  
2           An act relating to contingency risk multipliers;  
3           amending s. 627.428, F.S.; providing that a strong  
4           presumption is created that a lodestar fee is  
5           sufficient and reasonable; providing that such  
6           presumption may be rebutted only under certain  
7           circumstances; providing an effective date.

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

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11           Section 1. Subsection (4) is added to section 627.428,  
12   Florida Statutes, to read:

13           627.428 Attorney fees.—

14           (4) In awarding attorney fees under this section, a strong  
15   presumption is created that a lodestar fee is sufficient and  
16   reasonable. Such presumption may be rebutted only in a rare and  
17   exceptional circumstance with evidence that competent counsel  
18   could not be retained in a reasonable manner.

19           Section 2. This act shall take effect July 1, 2022.