

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Gantt offered the following:

Amendment (with directory and title amendments)

Remove lines 78-97 and insert:

(6) The decedent's personal representative may recover for the decedent's estate the following:

(a) Loss of earnings of the deceased from the date of injury to the date of death, less lost support of survivors excluding contributions in kind, with interest. Loss of the prospective net accumulations of an estate, which might reasonably have been expected but for the wrongful death, reduced to present money value, may also be recovered:

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13 1. If the decedent's survivors include a surviving spouse
14 or lineal descendants; or

15 2. If the decedent is not a minor child or an unborn child
16 as those terms are defined in s. 768.18 ~~s. 768.18(2)~~, there are
17 no lost support and services recoverable under subsection (1),
18 and there is a surviving parent.

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20 Evidence of remarriage of the decedent's spouse is admissible.

21 (9) A cause of action for the wrongful death of a fetus
22 shall only be brought by the mother who suffered the loss of her
23 pregnancy.

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27 **D I R E C T O R Y A M E N D M E N T**

28 Remove lines 72-73 and insert:

29 **Section 3. Paragraph (a) of subsection (6) of section**
30 **768.21, Florida Statutes, is amended, and subsection (9) is**
31 **added to that section, to read:**

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35 **T I T L E A M E N D M E N T**

36 Remove lines 11-14 and insert:

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37 | amending s. 768.21, F.S.; prohibiting the recovery of
38 | certain damages if the decedent is an unborn child;
39 | limiting who may bring an action for the wrongful
40 | death of a fetus; providing

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