Senator Simmons moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Section 61.040, Florida Statutes, is created to read:

61.040 Application of the law of a foreign country in courts relating to matters arising out of or relating to chapters 61 and 88.

(1) As used in this section, the term “strong public policy” means public policy of sufficient importance to outweigh
the policy of protecting freedom of contract.

(2) A court may not enforce:
   (a) A choice of law provision in a contract selecting the law of a foreign country which contravenes strong public policy of this state or that is unjust or unreasonable.
   (b) A forum selection clause in a contract that selects a forum in a foreign country if the clause is shown to be unreasonable or unjust or if strong public policy would prohibit the enforceability of the clause under the specific facts of the case.

(3) Before enforcing a judgment or order of a court of a foreign country, a court must review the judgment or order to ensure that it complies with the rule of comity. A judgment or order of a court of a foreign country is not entitled to comity if the parties were not given adequate notice and the opportunity to be heard, the foreign court did not have original jurisdiction, or the judgment or order of the foreign court offends the public policy of this state.

(4) A contract that seeks to apply the law of a foreign country is void as against the public policy of this state if it is injurious to the interest of the public or contravenes some established interest in society.

(5) A trial court may not dismiss an action on the grounds that a satisfactory remedy may be more conveniently sought in a foreign country unless the trial court finds in accordance with the applicable rules of civil procedure and this section, that an adequate alternate forum exists.

(6) This section applies only to matters governed by or relating to chapter 61 or chapter 88.
Section 2. This act shall take effect on October 1, 2014.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to the application of foreign law in courts; creating s. 61.040, F.S.; defining the term “strong public policy”; prohibiting a court from enforcing certain choice of law or forum selection contractual provisions; requiring a court to review judgments and orders of foreign courts for comity before enforcing such orders or judgments; specifying judgments and orders of foreign courts that are not entitled to comity; providing that certain contracts are void as against the public policy of this state; prohibiting a trial court from dismissing an action on the grounds that a satisfactory remedy may be more conveniently sought in a foreign country; providing an exception; providing applicability; providing an effective date.