



854774

LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Brandes) recommended the following:

1 **Senate Amendment to Amendment (979514) (with title**
2 **amendment)**

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4 Between lines 166 and 167
5 insert:

6 Section 4. Subsection (1) of section 627.428, Florida
7 Statutes, is amended to read:

8 627.428 Attorney's fee.—

9 (1) Upon the rendition of a judgment or decree by any of
10 the courts of this state against an insurer and in favor of any
11 named or omnibus insured or the named beneficiary under a policy



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12 or contract executed by the insurer, the trial court or, in the
13 event of an appeal in which the insured or beneficiary prevails,
14 the appellate court shall adjudge or decree against the insurer
15 and in favor of the named or omnibus insured or named
16 beneficiary a reasonable sum as fees or compensation for the
17 named or omnibus insured's or named beneficiary's attorney
18 prosecuting the suit in which the recovery is had. An assignee
19 of an insurance claim may not, in any event, recover fees under
20 this section.

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Between lines 222 and 223

25 insert:

26 amending s. 627.428, F.S.; revising the insureds or
27 beneficiaries who may recover attorney fees in certain
28 judgments against insurers; prohibiting assignees of
29 insurance claims from recovering such attorney fees in
30 any event;