



398962

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/29/2017	.	
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The Committee on Rules (Lee) recommended the following:

1           **Senate Substitute for Amendment (266818) (with title**  
2 **amendment)**

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4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Section 55.035, Florida Statutes, is created to  
7 read:

8           55.035 Prejudgment interest.—In any action in which a  
9 plaintiff recovers noneconomic damages, a court may award  
10 prejudgment interest on those damages upon a motion by the  
11 plaintiff if the court finds that the award is warranted based



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12 on the nature of the damages, the time elapsed between the date  
13 the defendant received written notice of the claim and the  
14 verdict or judgment, and the conduct of the parties and counsel  
15 in expeditiously resolving the case. The interest rate that  
16 applies to prejudgment interest awarded under this section is  
17 the rate established pursuant to s. 55.03.

18 Section 2. This act does not affect the accrual of  
19 prejudgment interest before the effective date of the act if  
20 otherwise authorized by statute or common law.

21 Section 3. This act shall take effect July 1, 2017, and  
22 shall apply to causes of action that accrue on or after that  
23 date.

24  
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 Delete everything before the enacting clause  
28 and insert:

29 A bill to be entitled  
30 An act relating to prejudgment interest; creating s.  
31 55.035, F.S.; authorizing a court to award prejudgment  
32 interest on noneconomic damages under certain  
33 circumstances; specifying the rate at which interest  
34 accrues; providing for construction and applicability;  
35 providing an effective date.