

# INTERIM UPDATE



**From February 23, 2017**

## LEGAL & JUDICIAL

### **HB 469-Relating to Prejudgment Interest**

On Thursday, February 23rd, **HB 469**, relating to Prejudgment Interest, by **Representative Shawn Harrison (R-Tampa)**, was heard by the **House Civil Justice & Claims Subcommittee** and passed by a vote of 11 yeas to 4 nays. **AIF's Senior Vice President of State and Federal Affairs, Brewster Bevis, spoke in opposition to this bill.**

This bill seeks to mandate that prejudgment interest be awarded to both economic and noneconomic damages recovered. For economic damages, interest would accrue from starting the date the plaintiff incurred economic losses. For noneconomic damages, interest would accrue starting from the date the defendant received notice of a claim from the plaintiff. Currently, prejudgment interest is awardable on economic losses at the discretion of the judge. Florida businesses are gravely concerned about the addition of prejudgment interest on noneconomic losses due to the subjective nature of these costs.

HB 469 will move on to its second committee hearing in the **House Appropriations Committee.**

**AIF OPPOSES legislation that will increase the already daunting costs of litigation on Florida's businesses.**

Please see below statement from AIF's President & CEO, Tom Feeney, concerning Prejudgment Interest:

### **AIF Statement Regarding Prejudgment Interest Legislation**

**Tallahassee, Fla.** – The **Associated Industries of Florida (AIF)** today released the following statement on behalf of its President & CEO Tom Feeney regarding the opposition to House Bill 469, by Representative Shawn Harrison (R-Tampa), relating to Prejudgment Interest. HB 469 was today heard in the House Civil Justice & Claims Subcommittee, its first committee of reference.

"Currently, Florida courts award postjudgment interest, which encourages prompt damage payments to the prevailing party. This is good public policy.

"HB 469, which seeks to allow for prejudgment interest, is not in the best interest of Florida. Prejudgment interest is not appropriate for certain cases, such as personal injury cases, because the amount of damages is a guesstimate until a jury can determine the amount of damages owed.

"AIF would like to thank Representatives Jay Fant, Colleen Burton, George Moraitis and Frank White for voting against HB 469 today. This bill will now go to the House Appropriations Committee. Our state has come so far in improving our civil justice system; we cannot afford to regress now. We urge our state leaders to take a deep dive into this issue and see that this legislation only hurts Florida employers and causes further strain on our state's court system."

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