



DAILY BRIEF

Legislative Session



FROM MARCH 16, 2023

CIVIL JUSTICE

SB 236/HB 837 - Civil Remedies

On Thursday, March 16, [SB 236](#) by Senator Travis Hutson (R-Palm Coast) was heard in the Senate Fiscal Policy Committee and was reported favorably with a vote of 13 yeas and 6 nays. Senator Tom Wright (R-New Smyrna Beach) was the only Republican to vote against the bill while the lone Democrat to vote for the bill was Senator Linda Stewart (D-Orlando). **AIF stood in support of this legislation.**

Also on Thursday, [HB 837](#) by Representative Tommy Gregory (R-Lakewood Ranch) was introduced onto the House floor and is expected to be debated and up for final passage tomorrow.

Both SB 236 and HB 837 seek to eliminate the cottage industry of trial lawyers and frivolous legal artists undermining the integrity of our civil justice system in Florida. Both bills address current loopholes in our laws and court procedures that keep their cottage industry alive by addressing 7 main issue areas.

- It will institute true transparency in damages so that juries base damages awards on the true cost of medical treatment instead of inflated bills.
- For third-party bad faith claims, it will allow a 60-day notice and right to cure, affirm that mere negligence does not amount to bad faith as well as require plaintiffs and their representatives to cooperate in good faith.
- It will change Florida's comparative negligence system so that a party who is more than 50 percent at fault for their own injuries may not recover damages.
- It will limit the use of a contingency fee multiplier for attorney fee awards so they may only be used in rare and exceptional circumstances.
- It will repeal Florida's one-way attorney fees.
- It will reduce the statute of limitations for negligence cases from four to two years.
- It will provide premises liability protection when someone is injured on a property owner's premises by a third party conducting a criminal act.

SB 236 will now go to the Senate floor for consideration.

HB 837 will be up for final passage on Friday.

AIF supports legislation that will help eliminate unnecessary legal costs and provide much needed stability for Florida businesses and consumers. Florida has been labeled a "judicial hellhole" for far too long. Comprehensive 'tort reform' is needed to spur future investment and alleviate the concerns of those who fear the cost of doing business in Florida due to frivolous litigation.

For more information on AIF's efforts relating to Tort Reform, please visit [AIF | Tort Reform](#).