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# **Civil Justice Subcommittee**

**Wednesday, April 13, 2011**

**9:00 AM**

**404 HOB**

**Action Packet**

**Dean Cannon  
Speaker**

**Eric Eisnaugle  
Chair**

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

### Summary:

#### Civil Justice Subcommittee

Wednesday April 13, 2011 09:00 am

CS/HB 139	Favorable	Yeas: 14	Nays: 0
HB 179	Favorable	Yeas: 12	Nays: 2
HB 185	Favorable	Yeas: 12	Nays: 2
HB 459	Favorable With Committee Substitute	Yeas: 14	Nays: 0
HB 569	Favorable With Committee Substitute	Yeas: 12	Nays: 2
HB 609	Favorable	Yeas: 12	Nays: 2
HB 629	Favorable	Yeas: 12	Nays: 2
HB 855	Favorable	Yeas: 9	Nays: 5
HB 1013	Favorable With Committee Substitute	Yeas: 12	Nays: 2
HB 1487	Favorable With Committee Substitute	Yeas: 12	Nays: 2

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Eric Eisnaugle (Chair)	X		
Mack Bernard	X		
Clay Ford	X		
Matt Gaetz	X		
Bill Hager	X		
Shawn Harrison	X		
Martin Kiar	X		
Larry Metz	X		
Kathleen Passidomo	X		
Darren Soto	X		
Cynthia Stafford	X		
Kelli Stargel	X		
Richard Steinberg	X		
W. Gregory Steube	X		
Michael Weinstein			X
<b>Totals:</b>	<b>14</b>	<b>0</b>	<b>1</b>

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

CS/HB 139 : Child Care Facilities

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz	X				
Bill Hager	X				
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 179 : Relief/Kirby/University of South Florida

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 2</b>			

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 185 : Relief/Angela Isham/City of Ft. Lauderdale

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 2</b>			

### Appearances:

HB 185

Killinger, Lee (Lobbyist) - Waive In Support  
Angela Isham/Estate of David Isham  
766 NE 44th St  
Oakland Park FL 33334  
Phone: (850)322-8907

HB 185

Jean, Alan (Lobbyist) - Waive In Support  
City of Ft. Lauderdale  
450 E Las Olas Blvd  
Ft. Lauderdale FL 33301

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 459 : Self-Service Storage Space

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz	X				
Bill Hager	X				
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

### Appearances:

HB 459

Chaires, Steve (General Public) - Waive In Support

Advanced Moving and Storage

7963 Apalachee Parkway

Tallahassee FL 32311

Phone: 850-556-8877

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

*favorable  
3-14-11  
superseded by  
amendment adopted  
4-13-11*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
 2 Representative(s) Caldwell offered the following:

**Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (6) of section 83.803, Florida

7 Statutes, is amended to read:

8 83.803 Definitions.—As used in ss. 83.801-83.809:

9 (6) "Last known address" means the street that address,  
 10 post office box, or electronic mail address provided by the  
 11 tenant in the latest rental agreement or in a subsequent written  
 12 change-of-address notice provided the address provided by the  
 13 tenant by hand delivery, first-class mail, or electronic  
 14 certified mail in a subsequent written notice of a change of  
 15 address.

16 Section 2. Section 83.806, Florida Statutes, is amended to  
 17 read:

18 83.806 Enforcement of lien.—An owner's lien as provided in  
 19 s. 83.805 may be satisfied as follows:



Amendment No. 1

20 (1) The tenant shall be notified by written notice  
21 delivered in person or by first-class certified mail, along with  
22 a certificate of mailing, to the tenant's last known address and  
23 conspicuously posted at the self-service storage facility or on  
24 the self-contained storage unit.

25 (2) The notice shall include:

26 (a) An itemized statement of the owner's claim, showing  
27 the sum due at the time of the notice and the date when the sum  
28 became due.

29 (b) The same description, or a reasonably similar  
30 description, of the personal property as provided in the rental  
31 agreement.

32 (c) A demand for payment within a specified time not less  
33 than 14 days after delivery of the notice.

34 (d) A conspicuous statement that, unless the claim is paid  
35 within the time stated in the notice, the personal property will  
36 be advertised for sale or other disposition and will be sold or  
37 otherwise disposed of at a specified time and place.

38 (e) The name, street address, and telephone number of the  
39 owner whom the tenant may contact to respond to the notice.

40 (3) Any notice given pursuant to this section shall be  
41 presumed delivered when it is deposited with the United States  
42 Postal Service, ~~registered,~~ and properly addressed with postage  
43 prepaid.

44 ~~(4) After the expiration of the time given in the notice,~~  
45 ~~an advertisement of the sale or other disposition shall be~~  
46 ~~published once a week for 2 consecutive weeks in a newspaper of~~  
47 ~~general circulation in the area where the self-service storage~~

Amendment No. 1

48 ~~facility or self-contained storage unit is located. Inasmuch as~~  
49 ~~any sale may involve property of more than one tenant, a single~~  
50 ~~advertisement may be used to dispose of property at any one~~  
51 ~~sale.~~

52 ~~(a) The advertisement shall include:~~

53 ~~1. A brief and general description of what is believed to~~  
54 ~~constitute the personal property contained in the storage unit,~~  
55 ~~as provided in paragraph (2)(b).~~

56 ~~2. The address of the self-service storage facility or the~~  
57 ~~address where the self-contained storage unit is located and the~~  
58 ~~name of the tenant.~~

59 ~~3. The time, place, and manner of the sale or other~~  
60 ~~disposition. The sale or other disposition shall take place not~~  
61 ~~sooner than 15 days after the first publication.~~

62 ~~(b) If there is no newspaper of general circulation in the~~  
63 ~~area where the self-service storage facility or self-contained~~  
64 ~~storage unit is located, the advertisement shall be posted at~~  
65 ~~least 10 days before the date of the sale or other disposition~~  
66 ~~in not fewer than three conspicuous places in the neighborhood~~  
67 ~~where the self-service storage facility or self-contained~~  
68 ~~storage unit is located.~~

69 ~~(4)(5)~~ Any sale or other disposition of the personal  
70 property shall conform to the terms of the notification as  
71 provided for in this section and shall be conducted in a  
72 commercially reasonable manner, as that term is used in s.  
73 679.610.

74 ~~(5)(6)~~ Before any sale or other disposition of personal  
75 property pursuant to this section, the tenant may pay the amount

Amendment No. 1

76 necessary to satisfy the lien and the reasonable expenses  
77 incurred under this section and thereby redeem the personal  
78 property. Upon receipt of such payment, the owner shall return  
79 the property to the tenant and thereafter shall have no  
80 liability to any person with respect to such personal property.  
81 If the tenant fails to redeem the personal property or satisfy  
82 the lien, including reasonable expenses, he or she will be  
83 deemed to have unjustifiably abandoned the self-service storage  
84 facility or self-contained storage unit, and the owner may  
85 resume possession of the premises for himself or herself.

86 ~~(6)-(7)~~ A purchaser in good faith of the personal property  
87 sold to satisfy a lien provided for in s. 83.805 takes the  
88 property free of any claims, except those interests provided for  
89 in s. 83.808, despite noncompliance by the owner with the  
90 requirements of this section.

91 ~~(7)-(8)~~ In the event of a sale under this section, the  
92 owner may satisfy his or her lien from the proceeds of the sale,  
93 provided the owner's lien has priority over all other liens in  
94 the personal property. The lien rights of secured lienholders  
95 are automatically transferred to the remaining proceeds of the  
96 sale. The balance, if any, shall be held by the owner for  
97 delivery on demand to the tenant. A notice of any balance shall  
98 be delivered by the owner to the tenant in person or by first-  
99 class certified mail, along with a certificate of mailing, to  
100 the last known address of the tenant. If the tenant does not  
101 claim the balance of the proceeds within 2 years after ~~of~~ the  
102 date of sale, the proceeds shall be deemed abandoned, and the  
103 owner shall have no further obligation with regard to the

Amendment No. 1

104 payment of the balance. In the event that the owner's lien does  
105 not have priority over all other liens, the sale proceeds shall  
106 be held for the benefit of the holders of those liens having  
107 priority. A notice of the amount of the sale proceeds shall be  
108 delivered by the owner to the tenant or secured lienholders in  
109 person or by first-class certified mail, along with a  
110 certificate of mailing, to their last known addresses. If the  
111 tenant or the secured lienholders do not claim the sale proceeds  
112 within 2 years after ~~of~~ the date of sale, the proceeds shall be  
113 deemed abandoned, and the owner shall have no further obligation  
114 with regard to the payment of the proceeds.

115 Section 3. Section 83.808, Florida Statutes, is amended to  
116 read:

117 83.808 Contractual liens.—This part does not impair or  
118 affect ~~Nothing in ss. 83.801-83.809 shall be construed as in any~~  
119 ~~manner impairing or affecting~~ the right of parties to create  
120 liens or limitations on liability by special contract or  
121 agreement ~~or nor shall it in any manner~~ impair or affect any  
122 other lien arising at common law, in equity, or by any statute  
123 of this state or any other lien not provided for in s. 83.805.

124 Section 4. This act shall take effect July 1, 2011.  
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127 -----  
128 **T I T L E A M E N D M E N T**

129 Remove the entire title and insert:

130 An act relating to self-service storage facilities; amending s.  
131 83.803, F.S.; redefining the term "last known address," to

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2011)

Amendment No. 1

132 conform to changes made by the act; amending s. 83.806, F.S.;

133 revising notice requirements related to enforcing an owner's

134 lien; allowing postal notice by first-class mail, along with a

135 certificate of mailing; allowing electronic mail notice;

136 deleting provisions relating to advertisement requirements;

137 amending s. 83.808, F.S.; clarifying provisions relating to the

138 right to create contractual liens or limitations on liability;

139 providing an effective date.



Superseded by amendment  
Adopted 4.13.11

Council/Committee/Subcommittee on

Civil Justice

Date 3/14/2011

favorable  
3-14-11

Action \_\_\_\_\_

**HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY**

(may be used in Council/Committee/Subcommittee, but not on House Floor)

Amendment No. 2

Bill No. 459

(For filing with the Clerk, Council, Committee and Member Amendments must be prepared by House Bill Drafting Services (Rule 12.1))

Representative(s)/The Council/Committee/Subcommittee on Steinberg

offered the following amendment:

Amendment to Amendment 1

on page Remove line(s) 9-13 and insert:

(b) "Last known address" means the street that address or post office box address provided by the tenant in the latest rental agreement or in a subsequent written change-of-address notice provided the address provided by the tenant by hand delivery or first-class, ~~mail~~ or electronic

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*favorable  
4-13-11*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative(s) Caldwell offered the following:

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**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsections (5) and (6) of section 83.803,

Florida Statutes, is amended to read:

83.803 Definitions.—As used in ss. 83.801-83.809:

(5) "Rental agreement" means any agreement or lease which establishes or modifies terms, conditions, rules, or any other provisions concerning the use and occupancy of a self-service storage facility or use of self-contained storage unit. If a rental agreement contains a provision that places a limit on the value of property that is stored in the leased space, the provision must be conspicuously placed in the agreement.

(6) "Last known address" means the street that address or post office box address provided by the tenant in the latest rental agreement or in a subsequent written change-of-address notice provided ~~the address provided by the tenant by hand~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 459 (2011)

Amendment No. 3

20 delivery, first-class mail, or electronic certified mail ~~in a~~  
21 ~~subsequent written notice of a change of address.~~

22 Section 2. Subsections (1), (3), and (8) of section  
23 83.806, Florida Statutes, are amended to read:

24 83.806 Enforcement of lien.—An owner's lien as provided in  
25 s. 83.805 may be satisfied as follows:

26 (1) The tenant shall be notified by written notice  
27 delivered in person or by first-class certified mail, along with  
28 a certificate of mailing, to the tenant's last known address and  
29 conspicuously posted at the self-service storage facility or on  
30 the self-contained storage unit.

31 (3) Any notice given pursuant to this section shall be  
32 presumed delivered when it is deposited with the United States  
33 Postal Service, ~~registered~~, and properly addressed with postage  
34 prepaid.

35 (8) In the event of a sale under this section, the owner  
36 may satisfy his or her lien from the proceeds of the sale,  
37 provided the owner's lien has priority over all other liens in  
38 the personal property. The lien rights of secured lienholders  
39 are automatically transferred to the remaining proceeds of the  
40 sale. The balance, if any, shall be held by the owner for  
41 delivery on demand to the tenant. A notice of any balance shall  
42 be delivered by the owner to the tenant in person or by first-  
43 class certified mail, along with a certificate of mailing, to  
44 the last known address of the tenant. If the tenant does not  
45 claim the balance of the proceeds within 2 years after ~~of~~ the  
46 date of sale, the proceeds shall be deemed abandoned, and the  
47 owner shall have no further obligation with regard to the



Amendment No. 3

48 payment of the balance. In the event that the owner's lien does  
49 not have priority over all other liens, the sale proceeds shall  
50 be held for the benefit of the holders of those liens having  
51 priority. A notice of the amount of the sale proceeds shall be  
52 delivered by the owner to the tenant or secured lienholders in  
53 person or by first-class certified mail, along with a  
54 certificate of mailing, to their last known addresses. If the  
55 tenant or the secured lienholders do not claim the sale proceeds  
56 within 2 years after ~~of~~ the date of sale, the proceeds shall be  
57 deemed abandoned, and the owner shall have no further obligation  
58 with regard to the payment of the proceeds.

59 Section 3. Section 83.808, Florida Statutes, is amended to  
60 read:

61 83.808 Contracts ~~Contractual liens.~~-

62 (1) This part does not impair or affect Nothing in ss.  
63 ~~83.801-83.809 shall be construed as in any manner impairing or~~  
64 ~~affecting~~ the right of parties to create liens or limitations on  
65 liability by special contract or agreement or ~~nor shall it in~~  
66 ~~any manner~~ impair or affect any other lien arising at common  
67 law, in equity, or by any statute of this state or any other  
68 lien not provided for in s. 83.805.

69 (2) A rental agreement or an application for a rental  
70 agreement must contain a provision disclosing whether the  
71 applicant is a member of the uninformed services as that term is  
72 defined in section 101(a)(5) of title 10, United States Code.

73 Section 4. This act shall take effect July 1, 2011.  
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Amendment No. 3

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**T I T L E   A M E N D M E N T**

Remove the entire title and insert:

An act relating to self-service storage facilities; amending s. 83.803, F.S.; redefining the term "last known address," to conform to changes made by the act; amending s. 83.806, F.S.; revising notice requirements related to enforcing an owner's lien; allowing postal notice by first-class mail, along with a certificate of mailing; allowing electronic mail notice; amending s. 83.808, F.S.; clarifying provisions relating to the right to create contractual liens or limitations on liability; requiring that a rental agreement or application for a rental agreement disclose whether the applicant is a servicemember; providing an effective date.

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 569 : Relief/Ronald Miller/City of Hollywood

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
	<b>Total Yeas: 12</b>	<b>Total Nays: 2</b>			

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	___	

*Favorable  
4.13.11*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative(s) Cruz offered the following:

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**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. The City of Hollywood is authorized and directed to appropriate from funds of the city and to draw a warrant, payable to Ronald Miller, for the total amount of \$100,000.00 as compensation for injuries and damages sustained as a result of the negligence of the City of Hollywood.

Section 3. The amount paid by the City of Hollywood pursuant to s. 768.28, Florida Statutes, and the amount awarded under this act are the sole and final compensation for all present and future claims arising out of the facts described in this act that resulted in injuries to Ronald Miller. All expenses that constituted part of Ronald Miller's judgments described herein shall be paid from the amount awarded under

Amendment No. 1

20 this act on a pro-rata basis. The total amount paid from all  
21 sources for attorney's fees, lobbying fees, costs, and other  
22 similar expenses relating to this claim may not exceed 25  
23 percent of the amount awarded under this act.

24 Section 4. This act shall take effect upon becoming a law.

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27 -----

28 **T I T L E A M E N D M E N T**

29 Remove the entire title and insert:

30 An act for the relief of Ronald Miller by the City of Hollywood;  
31 providing for an appropriation to compensate him for injuries  
32 sustained as a result of the negligence of the City of  
33 Hollywood; providing a limitation on the payment of attorney and  
34 lobbyist fees and costs; providing an effective date.

35

36 WHEREAS, on July 30, 2002, Ronald Miller was driving his  
37 pickup truck home from work, northbound on Federal Highway in  
38 the left-turn lane, and

39 WHEREAS, at that time, a City of Hollywood employee, Robert  
40 Mettler, was driving a city utilities truck and crashed into Mr.  
41 Miller's vehicle, and

42 WHEREAS, the impact of the crash caused Mr. Miller to have  
43 corrective surgeries for damage to both knees, and

44 WHEREAS, the jury found in favor of Ronald Miller and a  
45 Final Judgment was entered in the amount of \$1,130,731.89, and a  
46 cost judgment of \$17,257.82, and

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 569 (2011)

Amendment No. 1

47 | WHEREAS, the City of Hollywood has paid \$100,000 to Ronald  
48 | Miller under the statutory limits of liability set forth in s.  
49 | 768.28, Florida Statutes, and

50 | WHEREAS, the parties have negotiated in good faith and have  
51 | arrived at a stipulated resolution of this matter by the payment  
52 | by the City of Hollywood of an additional \$100,000.00 to Ronald  
53 | Miller, NOW, THEREFORE,

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 609 : Relief/Harris & Williams/North Broward Hospital District

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
	<b>Total Yeas: 12</b>	<b>Total Nays: 2</b>			

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 629 : Relief/Estate of Cesar Solomon/JTA

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
	<b>Total Yeas: 12</b>	<b>Total Nays: 2</b>			

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM



# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 855 : Relief/Brown/North Broward Hospital District

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz		X			
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel		X			
Richard Steinberg	X				
W. Gregory Steube		X			
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
	<b>Total Yeas: 9</b>	<b>Total Nays: 5</b>			

### Appearances:

HB 855

Balido, Albert (Lobbyist) - Proponent

Estate of Darian Brown by and through his parents David and Denise Brown

224 E Virginia Street

Tallahassee FL 32301

Phone: 850-251-3446

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 1013 : Relief/James D. Feurtado, III/Miami-Dade County

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
	<b>Total Yeas: 12</b>	<b>Total Nays: 2</b>			

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1013 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

*Farrable*  
*4-13-11*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative(s) Ingram offered the following:

3  
4 **Amendment (with title amendment)**

5 -----

6 **T I T L E A M E N D M E N T**

7 Remove line 10 and insert:

8 37 at the time of the accident, sustained serious and permanent  
9 neurologic and orthopedic

# COMMITTEE MEETING REPORT

## Civil Justice Subcommittee

4/13/2011 9:00:00AM

Location: 404 HOB

HB 1487 : Relief/Carl Abbott/Palm Beach County School Board

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mack Bernard	X				
Clay Ford	X				
Matt Gaetz		X			
Bill Hager		X			
Shawn Harrison	X				
Martin Kiar	X				
Larry Metz	X				
Kathleen Passidomo	X				
Darren Soto	X				
Cynthia Stafford	X				
Kelli Stargel	X				
Richard Steinberg	X				
W. Gregory Steube	X				
Michael Weinstein			X		
Eric Eisnaugle (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 2</b>			

Committee meeting was reported out: Wednesday, April 13, 2011 10:29:15AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1487 (2011)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

*favourable  
4-13-11*

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee  
2 Representative(s) Workman offered the following:

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**Amendment**

Remove lines 22-27 and insert:

WHEREAS, the Palm Beach County School Board unanimously passed a resolution in support of settling the lawsuit that was filed in this case, tendered payment of \$100,000 to Carl Abbott, in accordance with the statutory limits of liability set forth in s. 768.28, Florida Statutes, and does not oppose the passage of this claim bill in favor of Carl Abbott in the amount of \$1,900,000, as structured, NOW, THEREFORE,