

CHAPTER 2017-44

House Bill No. 65

An act relating to civil remedies for terrorism; creating s. 772.13, F.S.; creating a cause of action relating to terrorism; specifying a measure of damages; prohibiting claims by specified individuals; providing for attorney fees and court costs; providing construction; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 772.13, Florida Statutes, is created to read:

772.13 Civil remedy for terrorism or facilitating or furthering terrorism.

(1) A person who is injured by an act of terrorism as defined in s. 775.30 or a violation of a law for which the penalty is increased pursuant to s. 775.31 for facilitating or furthering terrorism has a cause of action for threefold the actual damages sustained and, in any such action, is entitled to minimum damages in the amount of \$1,000 and reasonable attorney fees and court costs in the trial and appellate courts.

(2) A person injured by reason of his or her participation in the same act or transaction that resulted in the act of terrorism or resulted in the defendant's penalty increase pursuant to s. 775.31 may not bring a claim under this section.

(3) The defendant is entitled to recover reasonable attorney fees and court costs in the trial and appellate courts upon a finding that the claimant raised a claim that was without support in fact or law.

(4) In awarding attorney fees and court costs under this section, the court may not consider the ability of the opposing party to pay such fees and court costs.

(5) This section does not limit a right to recover attorney fees or costs under other provisions of law.

Section 2. This act shall take effect July 1, 2017.

Approved by the Governor June 2, 2017.

Filed in Office Secretary of State June 2, 2017.