

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Civil Justice & Property
2 Rights Subcommittee
3 Representative Persons-Mulicka offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
7 Section 1. Section 68.075, Florida Statutes, is created to
8 read:

9 68.075 Tortious interference with a contract or business
10 relationship; cause of action; damages; attorney fees and
11 costs.-

12 (1) As used in this section, the term:

13 (a) "Business relationship" has the same meaning as in s.
14 825.101.

15 (b) "Person" means an individual, corporation, business
16 trust, estate, trust, partnership, limited liability company,

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17 association, joint venture, club, union, organization, any other
18 legal or commercial entity, or any other combination of
19 individuals having collective capacity.

20 (2) It is unlawful for any person, by inducement,
21 persuasion, misrepresentation, intimidation, or other unjust
22 means, to intentionally and unjustly:

23 (a) Cause the breach or violation of, or the refusal or
24 failure to perform, a lawful contract by any party thereto; or

25 (b) Interfere with or disrupt a business relationship.

26 (3) Any person injured as a result of a violation of this
27 section may bring a civil cause of action for treble damages,
28 injunctive relief, or any other appropriate relief in law or
29 equity. The court may issue a temporary or permanent injunction
30 to prevent a violation of this section. The issuance of an
31 injunction does not affect the availability of damages under
32 this section. The court shall award a prevailing plaintiff
33 reasonable attorney fees and costs.

34 (4) A civil cause of action may not be brought under this
35 section for the enforcement of a contract under s. 542.335.

36 (5) The civil remedy specified in this section does not
37 preempt any other remedy or cause of action provided for under
38 any other statute or the common law of this state. Any person
39 may obtain a judgment under either the common law remedy of
40 tortious interference or this statutory remedy, but shall not be

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41 entitled to a judgment under both remedies. This section shall
42 not be construed to create a common law cause of action.

43 Section 2. This act shall take effect July 1, 2022.

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

47 Remove everything before the enacting clause and insert:

48 An act relating to tortious interference with a contract or
49 business relationship; creating s. 68.075, F.S.; providing
50 definitions; prohibiting a person from using specified means to
51 intentionally and unjustly cause the breach of a lawful contract
52 or interfere with or disrupt a business relationship; creating a
53 civil cause of action for treble damages and other relief;
54 prohibiting the enforcement of a non-competition agreement under
55 this section; mandating the award of attorney fees and costs to
56 a prevailing plaintiff; providing that the civil remedy created
57 does not preempt any other remedy or cause of action provided
58 for under any other statute or the common law; providing that a
59 person is not entitled to damages under both this remedy and the
60 common law remedy; providing construction; providing an
61 effective date.