



Civil Justice Subcommittee

**Tuesday, February 17, 2015
9:00 AM - 12:00 PM
Sumner Hall (404 HOB)**

ACTION PACKET

**Steve Crisafulli
Speaker**

**Kathleen Passidomo
Chair**

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Summary:

Civil Justice Subcommittee

Tuesday February 17, 2015 09:00 am

HB 501	Favorable With Committee Substitute	Yeas: 7	Nays: 6
	Amendment 006519 Adopted Without Objection		
	Am 1		
PCS for HB 453	Favorable	Yeas: 10	Nays: 2
PCS for HB 531	Favorable With Amendment(s)	Yeas: 13	Nays: 0
	Amendment PCS for HB 531 a1 Adopted Without Objection		
	Am 1		
	Amendment PCS for HB 531 a2 Adopted Without Objection		
	Am 2		
	Amendment PCS for HB 531 a3 Adopted Without Objection		
	Am 3		
	Amendment PCS for HB 531 a4 Adopted Without Objection		
	Am 4		

Committee meeting was reported out: Tuesday, February 17, 2015 1:43:01PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Kathleen Passidomo (Chair)	X		
Lori Berman	X		
Colleen Burton	X		
Dwight Dudley	X		
Walter Hill	X		
Kionne McGhee	X		
Larry Metz	X		
George Moraitis, Jr.	X		
Cary Pigman	X		
Cynthia Stafford	X		
Charlie Stone	X		
Jennifer Sullivan	X		
John Wood	X		
Totals:	13	0	0

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 501 : Limitation of Actions

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman		X			
Colleen Burton	X				
Dwight Dudley		X			
Walter Hill	X				
Kionne McGhee		X			
Larry Metz	X				
George Moraitis, Jr.		X			
Cary Pigman	X				
Cynthia Stafford		X			
Charlie Stone	X				
Jennifer Sullivan		X			
John Wood	X				
Kathleen Passidomo (Chair)	X				
	Total Yeas: 7	Total Nays: 6			

HB 501 Amendments

Amendment 006519

Adopted Without Objection

Appearances:

HB 501

Woods, Ronald - Opponent
Consulting Engineer
6260-D Dupont Station Court
Jacksonville Florida 32217
Phone: 904-448-8887

HB 501

Miller, Thomas - Opponent
Professional Engineer
16105 N Florida Avenue
Tampa Florida 32549
Phone: 850-294-3471

HB 501

Dudley, Fred (Lobbyist) - Opponent
Association of Construction Consumers
3522 Thomasville Road, Ste 301
Tallahassee Florida 32309
Phone: 850-294-3471

Committee meeting was reported out: Tuesday, February 17, 2015 1:43:01PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

HB 501 : Limitation of Actions (continued)

Appearances: (continued)

HB 501

Goin, Yeline (Lobbyist) - Opponent
Community Associates Leadership Lobby
Exec Director
204 S Monroe Street, Suite 203
Tallahassee FL 32301
Phone: 850-284-2460

HB 501

Huey, Mike (Lobbyist) - Waive In Support
Florida Association of the American Institute of Architects
301 S Bronough St
Tallahassee FL 32301
Phone: 850-577-9090

HB 501

Watson, Richard (Lobbyist) - Proponent
Associated Builders & Contractors of Florida, Inc
PO Box 10038
Tampa FL 32302
Phone: (850)222-0000

HB 501

Murray, G. C. (Lobbyist) - Opponent
Florida Justice Association
Dep Gen Counsel
218 S Monroe St
Tallahassee FL 32301
Phone: 850-521-1034

HB 501

Hebrank, Kari (Lobbyist) - Waive In Support
Florida Home Builders Assn

Committee meeting was reported out: Tuesday, February 17, 2015 1:43:01PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N) 2/17/15
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative Fant offered the following:

Amendment (with title amendment)

Between lines 38 and 39, insert:

6 Section 2. The amendment to s. 95.11(3)(c), Florida
 7 Statutes, made by this act shall apply to any action commenced
 8 on or after July 1, 2015, regardless of when the cause of action
 9 accrued, except that any action that would not have been barred
 10 under s. 95.11(3)(c), Florida Statutes, prior to the amendment
 11 made by this act may be commenced before July 1, 2016, and if it
 12 is not commenced by that date and is barred by the amendment to
 13 s. 95.11(3)(c), Florida Statutes, made by this act, it shall be
 14 barred.

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



Amendment No. 1

18 | Remove line 6 and insert:
19 | real property; providing for applicability; reenacting s.
20 | 627.441(2), F.S.,

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

PCS for HB 453 : Timeshares

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman		X			
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford		X			
Charlie Stone			X		
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
	Total Yeas: 10	Total Nays: 2			

Appearances:

PCS for HB 453

Gruber, Kurt (Lobbyist) - Waive In Support
American Resort Development Association
Attorney
200 South Orange Avenue, Ste 2300
Orlando FL 32811
Phone: (407)649-4042

PCS for HB 453

Kennedy, Patrick - Opponent
Finn Law Group
Attorney
10720 72nd Street, #205
St. Petersburg Fl
Phone: 727-214-0700

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

PCS for HB 531 : Limited Liability Companies

Favorable With Amendment(s)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Lori Berman	X				
Colleen Burton	X				
Dwight Dudley	X				
Walter Hill	X				
Kionne McGhee	X				
Larry Metz	X				
George Moraitis, Jr.	X				
Cary Pigman	X				
Cynthia Stafford	X				
Charlie Stone	X				
Jennifer Sullivan	X				
John Wood	X				
Kathleen Passidomo (Chair)	X				
	Total Yeas: 13	Total Nays: 0			

PCS for HB 531 Amendments

Amendment PCS for HB 531 a1 - Am 1

Adopted Without Objection

Amendment PCS for HB 531 a2 - Am 2

Adopted Without Objection

Amendment PCS for HB 531 a3 - Am 3

Adopted Without Objection

Amendment PCS for HB 531 a4 - Am 4

Adopted Without Objection

Appearances:

PCS for HB 531

Conti, Louis - Waive In Support

Business Law Section of the Florida Bar

100 N Tampa St, Suite 4100

Tampa FL 33602

Phone: 813-227-8500

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Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	<u> y </u>	(Y/N) 2/17/15
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative McGhee offered the following:

Amendment (with title amendment)

Between lines 94 and 95, insert:

Section 2. Paragraph (i) of subsection (3) of section
605.0105, Florida Statutes, is amended to read:

605.0105 Operating agreement; scope, function, and
limitations.-

(3) An operating agreement may not do any of the
following:

~~(i) Vary the power of a person to dissociate under s.~~
~~605.0601, except to require that the notice under s. 605.0602(1)~~
~~be in a record.~~



Amendment No. 1

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

Remove line 10 and insert:
recorded in a specified manner; amending s. 605.0105, F.S.,
deleting a provision prohibiting an operating agreement from
varying the power of a person to dissociate; amending s.
605.04073,



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N) 2/17/15
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative McGhee offered the following:

Amendment (with title amendment)

Between lines 172 and 173, insert:

Section 4. Paragraph (c) of subsection (2) of section
605.1072, Florida Statutes, is amended to read:

605.1072 Other remedies limited.—

(2) Subsection (1) does not apply to an appraisal event
that:

~~(c) Is an interested transaction, unless it has been
 approved in the same manner as is provided in s. 605.04092 or is
 fair to the limited liability company as defined in s.
 605.04092(1)(c).~~



Amendment No. 2

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

Remove line 17 and insert:
member who makes a demand; amending s. 605.1072, F.S., deleting
a provision that provided an exception to the limitation of
remedies for appraisal events if the appraisal event is an
interested transaction; amending s. 605.1108, F.S.;



Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<u>Y</u>	(Y/N) 2/17/15
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative McGhee offered the following:

Amendment (with title amendment)

Remove lines 438-449

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

Remove line 44 and insert:

605.0102, 605.0401, 605.04074, 605.04091,



Amendment No. 4

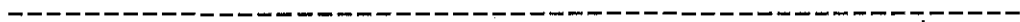
COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> Y </u>	(Y/N) 2/17/15
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER		

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Committee/Subcommittee hearing bill: Civil Justice Subcommittee
Representative McGhee offered the following:

Amendment (with title amendment)
Remove lines 483-491



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

Remove line 45 and insert:
605.0712, 605.0805, 606.06, 607.1108,

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Workshop

HB 313:

Committee meeting was reported out: Tuesday, February 17, 2015 1:43:01PM

COMMITTEE MEETING REPORT

Civil Justice Subcommittee

2/17/2015 9:00:00AM

Location: Sumner Hall (404 HOB)

Presentation/Workshop/Other Business Appearances:

Workshop on Digital Assets

Eskin, Vicky - Information Only
Levy & Associates
Estate Lawyer-ABA Advisor to ULC Comm & RPPTL-FI Bar
1732 N. Ronald Reagan Blvd
Longwood Florida 32750
Phone: 407-321-4844

Workshop on Digital Assets

Orzeske, Ben - Information Only
ULC
Uniform Law Commission Counsel
111 N Wabash Ave. Ste 1010
Chicago Illinois 60602
Phone: 312-450-6621

Workshop on Digital Assets

Butters, Sarah - Information Only
Florida Bar's RPPTL Section
Attorney
315 S Calhoun Street, Ste 600
Tallahassee Florida 32301
Phone: 850-425-5648

Workshop on Digital Assets

Hale, Russell (Lobbyist) - Information Only
Florida Bankers Association
PO Box 231
Orlando Florida 32802
Phone: 407-419-8556

Workshop on Digital Assets

Sayfie, Justin (Lobbyist) - Information Only
Google, Inc
Principle Shareholder, Sayfie Law Firm
450 E Las Olas Blvd Ste 1500
Ft Lauderdale Fl 33301
Phone: (954)523-2427

Workshop on Digital Assets

Novak, Jeff - Information Only
AOL
Chief Counsel, Litigation & Compliance-Vice Pres State Public Policy
Dulles VA 20166
Phone: 703-265-2923

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COMMITTEE MEETING REPORT

Civil Justice Subcommittee

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Location: Sumner Hall (404 HOB)

Presentation/Workshop/Other Business Appearances: (continued)

Workshop on Digital Assets

Szabo, Carl - Information Only
NetChoice
Policy Counsel
1401 K St NW Suite 502
Washington DC 20005
Phone: 202-420-7485

Workshop on Digital Assets

Ashworth, William - Information Only
Yahoo
Sr. Legal Director, Public Policy
101 Constitution Avenue, NW
Washington DC 20001
Phone: 202-225-4987

Workshop on Digital Assets

Sachs, Daniel - Information Only
Facebook
Associate Manager, State Policy
1299 Pennsylvania Ave NW, Ste 800
Washington DC 20004
Phone: 202-716-2172

Workshop on Digital Assets

Webb, Stacey (Lobbyist) - Information Only
Apple Inc
Partner, Southern Strategy Group
123 S Adams
Tallahassee FL 32302
Phone: 850-671-4401

Workshop on Digital Assets

Richardson, Michelle (Lobbyist) - Information Only
ACLU of Florida
Policy Director
4500 Biscayne Blvd Ste 340
Miami FL 33137
Phone: 786-363-2713

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