A proposal to revise

ARTICLE X, s. 13, Fla. Const.; providing
limitations upon the amount of damages payable
by the state when a court finds the state
liable; providing for a bad-faith surcharge;
placing a limit on attorney's fees.

It is proposed by the Florida Constitution Revision Commission that:

Section 1. Section 13 of Article X of the Florida Constitution is revised by amending that section to read:

ARTICLE X
MISCELLANEOUS
SECTION 13. Suits against the state.--Provision may be made by general law for bringing suit against the state as to all liabilities now existing or hereafter originating. Damages recoverable against the state in such a legal action shall be limited to $250,000 per person and to $500,000 per incident, exclusive of costs, and those amounts shall be increased annually, beginning one year after the effective date of this provision for limiting damage awards, by an amount based on the Consumer Price Index published by the federal government. If an award that is granted by final judgment in such a suit against the state is not timely paid, there is a presumption of bad faith, and a surcharge shall be imposed. The attorney's fees applicable to such an award shall not exceed twenty-five percent of the amount awarded against the state.

CODING: Words stricken are deletions; words underlined are additions.