

VOTE NO ON HB 451

Why vote NO on HB 451?

Florida has enacted significant reforms over the past few years designed to reduce meritless and unnecessary insurance litigation—litigation that was largely driven by the promise of statutory, “one-way” attorney fees recoverable only by insureds and their assigns—and to make Florida’s insurance market more attractive to insurers. HB 451 is designed to undo those reforms.

For decades, Florida’s one-way attorney fee statutes made insurance policy breach litigation risk-free for plaintiffs. Because these fee-shifting statutes were one-way, they incentivized plaintiffs to bring suit, even over low-dollar disputes. This resulted in a perpetration of low severity damage claims driving recovery of high plaintiffs’ attorney fees, costing insurers and Florida taxpayers billions of dollars per year. The Legislature repealed these statutes in their entirety in 2023 through HB 837.

HB 451 threatens to undo those efforts and create new incentives to litigate over any and all insurance disputes given the promise of attorney fees.

Numerous sections of the legislation would further undermine the state’s efforts to make Florida’s insurance market stronger and more predictable for insurers.

This legislation would impose onerous new burdens on insurers, and increase the statutory judgement interest rate in an unnecessary and unreasonable way.

The Legislature must act to protect the good work it has done over the last several years to reduce meritless and unnecessary insurance litigation. We owe it to Floridians to continue to take steps towards a market that is attractive, predictable and understandable for insurers.

Don’t let Florida move backward on insurance reforms.

VOTE NO ON HB 451.

Questions? Reach out to William Large at william@fljustice.org.