CS/HB 313 2022

1 A bill to be entitled 2 An act relating to tortious interference with a 3 contract or business relationship; creating s. 68.075, 4 F.S.; providing definitions; prohibiting a person from 5 using specified means to intentionally and unjustly 6 cause the breach or violation of, of the refusal or 7 failure to perform, a lawful contract or interfere 8 with or disrupt a business relationship; creating a 9 civil cause of action for treble damages and other relief; providing for attorney fees and costs to a 10 11 prevailing plaintiff; prohibiting the enforcement of 12 certain contracts; providing that the civil remedy 13 does not preempt any other remedy or cause of action provided for under any other statute or the common 14 15 law; prohibiting a person from obtaining a judgment 16 under both the civil remedy and the common-law remedy 17 of tortious interference; providing construction; 18 providing an effective date. 19 20 Be It Enacted by the Legislature of the State of Florida: 21 Section 68.075, Florida Statutes, is created to 22 Section 1.

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relationship; cause of action; damages; attorney fees and

68.075 Tortious interference with a contract or business

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26	costs.—
27	(1) As used in this section, the term:
28	(a) "Business relationship" has the same meaning as in s.
29	825.101.
30	(b) "Person" means an individual, corporation, business
31	trust, estate, trust, partnership, limited liability company,
32	association, joint venture, club, union, organization, any other
33	legal or commercial entity, or any other combination of
34	individuals having collective capacity.
35	(2) It is unlawful for any person, by inducement,
36	persuasion, misrepresentation, intimidation, or other unjust
37	means, to intentionally and unjustly:
38	(a) Cause the breach or violation of, or the refusal or
39	failure to perform, a lawful contract by any party thereto; or
10	(b) Interfere with or disrupt a business relationship.
11	(3) Any person injured as a result of a violation of this
12	section may bring a civil cause of action for treble damages,
13	injunctive relief, or any other appropriate relief in law or
14	equity. The court may issue a temporary or permanent injunction
15	to prevent a violation of this section. The issuance of an
46	injunction does not affect the availability of damages under
17	this section. The court shall award a prevailing plaintiff
18	reasonable attorney fees and costs.
19	(4) A civil cause of action may not be brought under this
50	section for the enforcement of a contract under s. 542.335.

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(5) The civil remedy in this section does not preempt any
other remedy or cause of action provided for under any other
statute or the common law. Any person may obtain a judgment
under either the common-law remedy of tortious interference or
the civil remedy in this section but may not obtain a judgment
under both remedies.

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- (6) This section does not create a common-law cause of action.
  - Section 2. This act shall take effect July 1, 2022.