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26 | contributions in kind.

27 | ~~(3)~~~~(4)~~ "Services" means tasks, usually of a household
28 | nature, regularly performed by the decedent that will be a
29 | necessary expense to the survivors of the decedent. These
30 | services may vary according to the identity of the decedent and
31 | survivor and shall be determined under the particular facts of
32 | each case.

33 | ~~(4)~~~~(3)~~ "Support" includes contributions in kind as well as
34 | money.

35 | ~~(5)~~~~(1)~~ "Survivors" means the decedent's spouse, children,
36 | parents, and, when partly or wholly dependent on the decedent
37 | for support or services, any blood relatives and adoptive
38 | brothers and sisters. It includes the child born out of wedlock
39 | of a mother, but not the child born out of wedlock of the father
40 | unless the father has recognized a responsibility for the
41 | child's support. It also includes the parents of an unborn
42 | child.

43 | Section 2. Subsections (4) and (5) and paragraph (a) of
44 | subsection (6) of section 768.21, Florida Statutes, are amended
45 | to read:

46 | 768.21 Damages.—All potential beneficiaries of a recovery
47 | for wrongful death, including the decedent's estate, shall be
48 | identified in the complaint, and their relationships to the
49 | decedent shall be alleged. Damages may be awarded as follows:

50 | (4) Each parent of a deceased minor child or an unborn

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51 child may also recover for mental pain and suffering from the
52 date of injury. Each parent of an adult child may also recover
53 for mental pain and suffering if there are no other survivors.

54 (5) Medical or funeral expenses due to the decedent's
55 injury or death may be recovered by a survivor who has paid
56 them. Except for claims brought under chapter 766, each parent
57 of an unborn child may recover for medical or funeral expenses.

58 (6) The decedent's personal representative may recover for
59 the decedent's estate the following:

60 (a) Loss of earnings of the deceased from the date of
61 injury to the date of death, less lost support of survivors
62 excluding contributions in kind, with interest. Loss of the
63 prospective net accumulations of an estate, which might
64 reasonably have been expected but for the wrongful death,
65 reduced to present money value, may also be recovered:

66 1. If the decedent's survivors include a surviving spouse
67 or lineal descendants; or

68 2. If the decedent is not a minor child as defined in s.
69 768.18 ~~s. 768.18(2)~~, there are no lost support and services
70 recoverable under subsection (1), and there is a surviving
71 parent.

72
73 Evidence of remarriage of the decedent's spouse is admissible.

74 Section 3. This act shall take effect July 1, 2024.