

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eisnaugle offered the following:

2  
3 **Amendment**

4 Remove lines 292-310 and insert:

5 the dispute resolution procedure within 4 business days after  
6 such notice, any amounts resolved in the contractor's favor  
7 shall bear mandatory interest, as set forth in s. 218.735(9),  
8 from the date the payment request or invoice containing the  
9 disputed amounts was submitted to the local governmental entity.  
10 If the dispute resolution procedure is not commenced within 4  
11 business days after the notice, the objection to the payment  
12 request or invoice shall be deemed waived. The waiver of an  
13 objection pursuant to this paragraph does not relieve a  
14 contractor of its contractual obligations.

15 (3) In an action to recover amounts due under this part  
16 ~~ss. 218.70-218.80~~, the court shall award court costs and  
499963

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17 reasonable attorney's fees, including fees incurred through any  
18 appeal, to the prevailing party, ~~if the court finds that the~~  
19 ~~nonprevailing party withheld any portion of the payment that is~~  
20 ~~the subject of the action without any reasonable basis in law or~~  
21 ~~fact to dispute the prevailing party's claim to those amounts.~~