By Senator Wise

5-917-05

 1   A bill to be entitled

 2   An act relating to sovereign immunity in tort

 3   actions; amending s. 768.28, F.S.; prohibiting

 4   an attorney, lobbyist, or other representative

 5   from charging or receiving fees in excess of a

 6   certain percentage of the combined total of any

 7   judgment or settlement for services rendered in

 8   a tort claim, including any amount paid by act

 9   of the Legislature; providing an effective

10   date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14   Section 1. Subsection (8) of section 768.28, Florida

15 Statutes, is amended to read:

16   768.28 Waiver of sovereign immunity in tort actions;

17 recovery limits; limitation on attorney fees; statute of

18 limitations; exclusions; indemnification; risk management

19 programs.--

20   (8) <u>The combined total of all fees charged, demanded,</u>

21 <u>received, or collected for all services rendered for a tort</u>

22 <u>claim under this section by an attorney, lobbyist, or any</u>

23 <u>other representative may not exceed</u> ~~No attorney may charge,~~

24 ~~demand, receive, or collect, for services rendered, fees in~~

25 ~~excess of~~ 25 percent of <u>the combined total of</u> any judgment or

26 settlement <u>paid, including any amount paid by further act of</u>

27 <u>the Legislature</u>.

28   Section 2. This act shall take effect July 1, 2005.

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CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

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2   SENATE SUMMARY

3   Provides that an attorney, lobbyist, or other
       representative may not collect, demand, or receive fees
4   that exceed a certain percentage of the combined total of
       any judgment or settlement for services rendered in a
5   tort claim, including the amount paid by a claims bill of
       the Legislature.

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