

By Senator Baxley

12-01715A-20

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1                   A bill to be entitled  
2           An act relating to contingency fees; creating s.  
3           287.05905, F.S.; defining the term "local or regional  
4           governmental entity"; prohibiting local and regional  
5           governmental entities from entering into contingency  
6           fee contracts above specified limits with private  
7           attorneys and law firms; providing an effective date.  
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9   Be It Enacted by the Legislature of the State of Florida:  
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11           Section 1. Section 287.05905, Florida Statutes, is created  
12   to read:

13           287.05905 Private attorney or law firm services for local  
14   entities.-

15           (1) As used in this section, the term "local or regional  
16   governmental entity" includes a municipality, a county, a school  
17   board, a special district, any other local entity within the  
18   jurisdiction of one county created by general or special law or  
19   local ordinance, a regional planning council, a metropolitan  
20   planning organization, a water supply authority that includes  
21   more than one county, a local health council, a water management  
22   district, and any other regional entity that is authorized and  
23   created by general or special law which has duties or  
24   responsibilities extending beyond the jurisdiction of a single  
25   county.

26           (2) A local or regional governmental entity may not enter  
27   into a contingency fee contract that authorizes a private  
28   attorney or law firm to receive an aggregate contingency fee in  
29   excess of:

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- 30       (a) Twenty-five percent of any recovery up to \$10 million;  
31 plus  
32       (b) Twenty percent of any portion of such recovery over \$10  
33 million and up to \$15 million; plus  
34       (c) Fifteen percent of any portion of such recovery over  
35 \$15 million and up to \$20 million; plus  
36       (d) Ten percent of any portion of such recovery over \$20  
37 million and up to \$25 million; plus  
38       (e) Five percent of any portion of such recovery exceeding  
39 \$25 million.

40  
41 The aggregate contingency fee may not exceed \$20 million,  
42 exclusive of reasonable costs and expenses, and irrespective of  
43 the number of lawsuits filed or the number of private attorneys  
44 or law firms retained to achieve the recovery.

45       Section 2. This act shall take effect July 1, 2020.