

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                     (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                    (Y/N)  
OTHER                                         

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1 Committee/Subcommittee hearing bill: Commerce Committee  
2 Representative Leek offered the following:

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**Amendment (with title amendment)**

Remove lines 41-45 and insert:

Section 1. Part XIII of chapter 559, Florida Statutes,  
consisting of sections 559.952, 559.953, 559.954, 559.955,  
559.956, 559.957, 559.958, 559.959, 559.961, and 559.962, is  
created and entitled "Litigation Financing Consumer Protection  
Act."

Remove lines 46-48 and insert:

Section 2. Section 559.952, Florida Statutes, is created  
to read:  
559.952 Definitions.—As used in this part, the term:

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17 Remove lines 84-87 and insert:

18 specified in s. 559.957(2).

19 Section 3. Section 559.953, Florida Statutes, is created  
20 to read:

21 559.953 Litigation financier registration; registration

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23 Remove line 122 and insert:

24 awarded to a consumer under part II of chapter 501.

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26 Remove lines 155-157 and insert:

27 Section 4. Section 559.954, Florida Statutes, is created  
28 to read:

29 559.954 Litigation financing contracts; terms.—The

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31 Remove lines 175-177 and insert:

32 Section 5. Section 559.955, Florida Statutes, is created  
33 to read:

34 559.955 Prohibited conduct.—A litigation financier may

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36 Remove lines 223-225 and insert:

37 Section 6. Section 559.956, Florida Statutes, is created  
38 to read:

39 559.956 Required disclosures.—

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42 Remove lines 282-284 and insert:

43 Section 7. Section 559.957, Florida Statutes, is created

44 to read:

45 559.957 Contingent right to proceeds assignable; priority

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47 Remove lines 299-301 and insert:

48 Section 8. Section 559.958, Florida Statutes, is created

49 to read:

50 559.958 Interest, fees, charges, and penalties.-

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52 Remove lines 331-334 and insert:

53 contract under s. 559.954(1).

54 Section 9. Section 559.959, Florida Statutes, is created

55 to read:

56 559.959 Litigation financing contracts; discovery.-Except

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58 Remove lines 340-342 and insert:

59 Section 10. Section 559.961, Florida Statutes, is created

60 to read:

61 559.961 Effect of communication on privilege.-

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63 Remove lines 348-350 and insert:

64 Section 11. Section 559.962, Florida Statutes, is created

65 to read:

66 559.962 Violation; enforcement.-

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67 Remove line 352 and insert:  
68 trade practice actionable under part II of chapter 501.

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71 **T I T L E A M E N D M E N T**

72 Remove lines 3-34 and insert:  
73 protection; creating part XIII of ch. 559, F.S.,  
74 entitled "Litigation Financing Consumer Protection  
75 Act"; creating s. 559.952, F.S.; providing  
76 definitions; creating s. 559.953, F.S.; requiring  
77 litigation financiers to register with the Department  
78 of State before engaging in litigation financing;  
79 providing registration requirements; requiring  
80 litigation financiers to file a surety bond meeting  
81 specified requirements; requiring the department serve  
82 notice to such financiers and to revoke such  
83 registrations for certain noncompliance; authorizing  
84 the department to adopt rules; creating s. 559.954,  
85 F.S.; providing requirements for litigation financing  
86 contracts; creating s. 559.955, F.S.; prohibiting  
87 litigation financiers from engaging in specified  
88 conduct; creating s. 559.956, F.S.; providing  
89 disclosure requirements for litigation financing  
90 contracts; creating s. 559.957, F.S.; providing for  
91 the assignment of contingent rights to civil action or

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92 claim proceeds; specifying the priority of liens  
93 against or rights to civil action or claim proceeds;  
94 creating s. 559.958, F.S.; authorizing litigation  
95 financiers to assess specified interest, fees, and  
96 charges; providing requirements for such interest,  
97 fees, and charges; prohibiting a litigation financier  
98 from assessing specified fees or charges; creating s.  
99 559.959, F.S.; requiring the disclosure of litigation  
100 financing contracts under specified circumstances;  
101 creating s. 559.961, F.S.; providing that specified  
102 communications between attorneys and litigation  
103 financiers do not affect statutory or common-law  
104 privilege; creating s. 559.962, F.S.; providing that