

1 A bill to be entitled
 2 An act relating to contingency fees; creating s.
 3 287.05905, F.S.; providing a definition; prohibiting
 4 local and regional governmental entities from entering
 5 into certain contingency fee contracts with private
 6 attorneys or law firms; providing an effective date.

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

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 10 Section 1. Section 287.05905, Florida Statutes, is created
 11 to read:

12 287.05905 Private attorney or law firm services for local
 13 or regional governmental entities.-

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

25 (2) A local or regional governmental entity may not enter

26 into a contingency fee contract that authorizes a private
27 attorney or law firm to receive an aggregate contingency fee in
28 excess of:

29 (a) Twenty-five percent of any recovery up to \$10 million;
30 plus

31 (b) Twenty percent of any portion of such recovery over
32 \$10 million and up to \$15 million; plus

33 (c) Fifteen percent of any portion of such recovery over
34 \$15 million and up to \$20 million; plus

35 (d) Ten percent of any portion of such recovery over \$20
36 million and up to \$25 million; plus

37 (e) Five percent of any portion of such recovery exceeding
38 \$25 million.

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

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