

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

CS/HB 1205 — Advertisements for Legal Services

by Civil Justice Subcommittee and Rep. Andrade and others (SB 1246 by Senator Yarborough)

The bill creates s. 501.139, F.S., to regulate certain legal advertisements soliciting clients for personal injury lawsuits against drug manufacturers. These regulations prohibit advertisements for legal services from appearing to offer professional medical advice or advice from a government entity. Moreover, advertisements soliciting clients who may allege an injury from a prescription drug or medical device approved by the Food and Drug Administration must advise such persons to consult with their physicians before making decisions regarding their medications or medical treatment.

The new statute does not limit or otherwise affect the authority of The Florida Bar to regulate the practice of law, enforce its rules of professional conduct, or discipline any person admitted to practice law in in Florida.

A violation of the new statute is deemed a deceptive and unfair trade practice subject to enforcement under the Florida Deceptive and Unfair Trade Practices Act (ch. 501, part II, F.S.).

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 26-11; House 79-37