

By Representative Bainter

1 A bill to be entitled
2 An act relating to private attorney services;
3 amending s. 287.059, F.S.; prohibiting certain
4 private attorneys under contract with a state
5 agency from representing certain persons before
6 state agencies; providing for an affidavit;
7 providing a penalty; providing an effective
8 date.

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

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12 Section 1. Subsection (10) of section 287.059, Florida
13 Statutes, is amended and subsection (15) is added to that
14 section to read:

15 287.059 Private attorney services.--

16 (10) The Attorney General shall develop a standard
17 addendum to every contract for attorney services that must be
18 used by all agencies, unless waived by the Attorney General,
19 describing in detail what is expected of both the contracted
20 private attorney and the contracting agency. The addendum must
21 include an affidavit signed by the private attorney stating
22 that neither the attorney or any member of the attorney's law
23 firm will represent any other person in a proceeding against
24 any agency during the term of the contract.

25 (15) Neither a private attorney who contracts with an
26 agency to represent the agency nor any member of the
27 attorney's law firm may represent any other person in a
28 proceeding against any agency during the term of the contract.
29 The Attorney General may impose an administrative penalty not
30 to exceed \$500,000 on any person or firm that violates the
31 provisions of this subsection.

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Section 2. This act shall take effect July 1, 1997.

SENATE SUMMARY

Prohibits a private attorney with whom a state agency has contracted for services, or any member of his law firm, from representing any other person in proceedings against any agency during the term of the contract. Authorizes the Attorney General to impose an administrative penalty not to exceed \$500,000 on a person who violates the prohibition. Requires that an affidavit be included in the addendum attached to agency contracts under s. 287.059, F.S., which states that a private attorney may not represent other persons in proceedings against any agency while representing the agency.