



1 behalf, may not ~~to~~ solicit or procure through solicitation,  
2 ~~either~~ directly or indirectly, legal business for a profit,  
3 may not ~~or to~~ solicit or procure through solicitation a  
4 retainer, written or oral, or any agreement authorizing an  
5 attorney to perform or render legal service for a profit, and  
6 may not ~~or to~~ make it a business to solicit or procure such  
7 business, retainers or agreements. ~~;~~ ~~provided~~, However, this  
8 section does not ~~that nothing herein shall~~ prohibit ~~or be~~  
9 ~~applicable to~~ banks, trust companies, lawyer reference  
10 services, legal aid associations, lay collection agencies,  
11 railroad companies, insurance companies and agencies, and real  
12 estate companies and agencies, in the conduct of their lawful  
13 businesses, and in connection therewith and incidental  
14 thereto, from forwarding legal matters to attorneys at law if  
15 ~~when~~ such forwarding is authorized by the customers or clients  
16 of the said businesses and is done pursuant to the canons of  
17 legal ethics as pronounced by the Supreme Court of Florida.  
18 (3)(2) A ~~It shall be unlawful for any~~ person in the  
19 employ of or in any capacity attached to any hospital,  
20 sanitarium, police department, wrecker service, ~~or~~ garage,  
21 prison, or court, or ~~for~~ a person authorized to furnish bail  
22 bonds, investigators, photographers, insurance, or public  
23 adjusters, may not ~~to~~ communicate, directly or indirectly,  
24 with any attorney or person acting on the said attorney's  
25 behalf for the purpose of aiding, assisting, or abetting such  
26 attorney in soliciting ~~the solicitation of~~ legal business for  
27 a profit, and may not procure ~~or the procurement~~ through the  
28 solicitation of a retainer, written or oral, ~~or~~ any agreement  
29 authorizing the attorney to perform or render legal services  
30 for a profit.  
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1           (4) A person may not advertise, using any form of  
2 electronic or other media, in a manner that solicits legal  
3 business for a profit by urging a person to consider bringing  
4 legal action against another.

5           (5) As used in this section, the term "solicit" means  
6 to entreat, request, or incite another to use the services of  
7 an attorney or a law firm. In any advertisement subject to  
8 this section, the term "solicit" does not mean, include, or  
9 prohibit a statement by the attorney in writing, an oral  
10 statement by the attorney, or an appearance, picture, or voice  
11 of the attorney stating in such advertisement only the  
12 following information:

13           (a) The name of the attorney or law firm;

14           (b) The field of practice of such attorney or law  
15 firm, including the prices charged, so long as expressly  
16 permitted by Rule 4-7.2 of the rules regulating The Florida  
17 Bar;

18           (c) The right of an injured or aggrieved person to  
19 seek redress if such person's rights have been violated;

20           (d) A public service announcement, so long as it does  
21 not entreat, request, or urge another to use the services of  
22 an attorney or law firm for the purpose of bringing legal  
23 action against another; or

24           (e) Those matters expressly permitted by Rule  
25 4-7.2(c)(11) of the rules regulating The Florida Bar.

26           ~~(6)(a)(3)~~ Except for violations of subsection (4), any  
27 person who violates ~~violating~~ any provision of this section  
28 commits ~~shall be guilty of~~ a misdemeanor of the first degree,  
29 punishable as provided in s. 775.082 or s. 775.083.

30           (b) A person who violates subsection (4) is liable for  
31 a civil penalty of \$1,000 for the first offense and a civil

1 penalty of \$10,000 for each subsequent offense. The Florida  
2 Bar and the Attorney General may enforce such penalties and  
3 seek an injunction against any person who violates subsection  
4 (4) and, upon prevailing in such action, shall recover costs  
5 and reasonable attorney's fees. For purposes of this  
6 paragraph, an offense is a single advertisement published in a  
7 single print publication or through a single electronic media  
8 outlet, regardless of the number of times or in how many  
9 issues it is republished in the same publication or through  
10 the same media outlet.

11 ~~(7)(4)~~ This section is ~~shall be taken to be~~ cumulative  
12 and does ~~shall not be construed to~~ amend or repeal any other  
13 valid law, code, ordinance, rule, or penalty now in effect.

14 Section 2. This act shall take effect upon becoming a  
15 law.

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18 SENATE SUMMARY

19 Prohibits the solicitation of legal business for a  
20 profit. Prohibits attorneys from advertising services for  
21 business for a profit unless permitted by law. Provides  
22 civil and criminal penalties.  
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