

The Florida Senate  
**HOUSE MESSAGE SUMMARY**

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Prepared By: The Professional Staff of the Judiciary Committee

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[2009h0215.hms]

BILL: CS/CS/HB 215 (SB 1370)

INTRODUCER: Policy Council, Criminal & Civil Justice Policy Council, Rep. Eisnaugle, and others (Senators Fasano and Oelrich)

SUBJECT: Contingency Fee Agreements

DATE: May 1, 2009

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**I. Amendments Contained in Message:**

There is no amendment. The House is asking the Senate to **recede** from **Senate Amendment 1 – 226328** (body with title).

**II. Summary of Amendments Contained in Message:**

The House is asking the Senate to **recede** from **Senate Amendment 1 – 226328** (body with title). Senate Amendment 1 allows the Attorney General to enter into contingency fee agreements with private counsel outside the limits set by the bill, if the Attorney General determines that there are exigent circumstances or a need for specialized counsel. The Attorney General must provide written evidence to support the determination to go beyond the requirements of the bill, and the determination must be approved by a majority vote of the Cabinet.

If the Senate recedes from Senate Amendment 1, the bill will be consistent with the original bill, which caps contingency attorney's fees and does not provide a basis for piercing the caps.