

1                                   A bill to be entitled  
 2       An act relating to relief acts of the Legislature;  
 3       amending s. 11.02, F.S.; revising requirements with  
 4       respect to notice of certain relief acts; amending s.  
 5       11.065, F.S.; prohibiting an entity that has sovereign  
 6       immunity from avoiding payment pursuant to a relief  
 7       act by assigning a claim it may have against a third  
 8       party; providing requirements with respect to notice  
 9       of specified relief acts; providing restrictions with  
 10      respect to sponsorship of a relief act; requiring  
 11      referral of all relief acts to the Division of  
 12      Administrative Hearings for review and recommendation  
 13      by an administrative law judge; providing procedures  
 14      and requirements with respect to such review;  
 15      prohibiting lobbyists from receiving specified  
 16      contingency fees; providing nonapplicability;  
 17      providing for alternate submission of a relief act to  
 18      a panel of arbitrators; providing procedures,  
 19      requirements, and limitations with respect to such  
 20      alternate submission; providing an effective date.

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

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 24           Section 1.   Section 11.02, Florida Statutes, is amended to  
 25   read:

26           11.02   Notice of special or local legislation or certain  
 27   relief acts.—The notice required to obtain special or local  
 28   legislation or any relief act specified in s. 11.065 shall be by

29 publishing the identical notice in each county involved in some  
 30 newspaper as defined in chapter 50 published in or circulated  
 31 throughout the county or counties where the matter or thing to  
 32 be affected by such legislation shall be situated one time at  
 33 least 30 days before introduction of the proposed law into the  
 34 Legislature or, there being no newspaper circulated throughout  
 35 or published in the county, by posting for at least 30 days at  
 36 not less than three public places in the county or each of the  
 37 counties, one of which places shall be at the courthouse in the  
 38 county or counties where the matter or thing to be affected by  
 39 such legislation shall be situated. Notice of special or local  
 40 legislation shall state the substance of the contemplated law,  
 41 as required by s. 10, Art. III of the State Constitution. Notice  
 42 of any relief act specified in s. 11.065 shall state the name of  
 43 the claimant, the nature of the injury or loss for which the  
 44 claim is made, ~~and~~ the amount of the claim against the affected  
 45 municipality's revenue-sharing trust fund, and the name of each  
 46 legislator sponsoring the relief act.

47 Section 2. Section 11.065, Florida Statutes, is amended to  
 48 read:

49 11.065 Relief acts ~~Claims against state; assignments;~~  
 50 ~~limitations; notice; contingency fees; arbitration.-~~

51 (1) No claims against the state shall be presented to the  
 52 Legislature more than 4 years after the cause for relief  
 53 accrued. Any claim presented after this time of limitation shall  
 54 be void and unenforceable.

55 (2) All relief acts of the Legislature shall be for  
 56 payment in full. An entity that has sovereign immunity may not

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57 avoid its responsibility for payment of a claim pursuant to a  
58 relief act in exchange for an assignment of any claim it may  
59 have against a third party. No further claims for relief shall  
60 be submitted to the Legislature in the future.

61 (3) Notice, including the name of each legislator  
62 sponsoring the relief act, shall be given as provided in s.  
63 11.02 prior to the introduction of any relief act which provides  
64 for the payment of the claim from funds scheduled for  
65 distribution to a municipality from the revenue-sharing trust  
66 fund for municipalities.

67 (4) A relief act shall only be sponsored by a member of  
68 the Senate or the House of Representatives who represents the  
69 county in which the claim arose. All relief acts shall be  
70 referred to the Division of Administrative Hearings for review  
71 and recommendation by an administrative law judge. The  
72 administrative law judge shall determine whether each finding of  
73 fact in any relief act is supported by evidence in the record.  
74 Facts supported by evidence in the record as determined by the  
75 administrative law judge shall remain in the relief act and all  
76 other facts shall be removed from the relief act. The  
77 administrative law judge shall make a recommendation on whether  
78 the relief act and the amount requested therein should be  
79 approved.

80 (5) A lobbyist may not receive a contingency fee arising  
81 out of the representation of any claimant before the Legislature  
82 or the Legislative Budget Commission. This limitation does not  
83 apply to claimants and lawyers of record for the performance of  
84 legal services by such lawyers in the trial or appellate courts

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85 as authorized under s. 768.28.

86 (6) As an alternative to presenting a relief act for full  
87 legislative consideration and subject to the limitations in this  
88 subsection, with the consent of all parties, including entities,  
89 that may be responsible for the payment of a claim, any claim  
90 may be submitted to a panel of three arbitrators appointed by  
91 the Legislative Budget Commission. The arbitration shall be  
92 conducted pursuant to and subject to the limitations of s.  
93 44.104. An award resulting from such arbitration must be  
94 confirmed and made final and binding by the Legislative Budget  
95 Commission. If the Legislative Budget Commission confirms an  
96 arbitration award, a further claim for relief of the claimant or  
97 claimants arising out of the same occurrence or event may not be  
98 submitted to the Legislature in the future.

99 Section 3. This act shall take effect July 1, 2012.