

ENROLLED SENATE  
BILL NO. 329

By: Laster of the Senate

and

Duncan of the House

An Act relating to county officers; setting attorney fees for certain cases under specified circumstances; providing exception; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 138.7a of Title 19, unless there is created a duplication in numbering, reads as follows:

A. In every case in which the defendant is subject to the death penalty and an attorney other than a county indigent defender is assigned to the case as provided by Section 138.7 of Title 19 of the Oklahoma Statutes, total compensation for attorneys who serve as lead counsel and co-counsel shall not exceed the limits set in Section 1355.13 of Title 22 of the Oklahoma Statutes.

B. The maximum statutory fee established pursuant to this section may be exceeded only when counsel establishes that the case is an exceptional one which requires an extraordinary amount of time to litigate and that the request for extraordinary attorney fees is reasonable.

SECTION 2. This act shall become effective November 1, 2005.

Passed the Senate the 4th day of May, 2005.

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Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2005.

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Presiding Officer of the House  
of Representatives

