

1 ENGROSSED HOUSE
2 BILL NO. 1602

By: Sullivan, Tibbs, Derby and
Liebmann of the House

3 and

4 Coffee of the Senate
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6
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8 An Act relating to attorneys and the state bar;
9 ordering a legislative referendum pursuant to the
10 Oklahoma Constitution; limiting amount that an
11 attorney shall charge, demand, receive, or collect
12 for services; repealing 5 O.S. 2001, Section 7, which
13 relates to contingency fees; providing for
14 codification; providing an effective date; providing
15 ballot title; and directing filing.

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

17 SECTION 1. Pursuant to Section 3 of Article V of the Oklahoma
18 Constitution, there is hereby ordered the following legislative
19 referendum which shall be filed with the Secretary of State and
20 addressed to the Governor of the state, who shall submit the same to
21 the people for their approval or rejection at the next General
22 Election, to be held on November 2, 2010.

23 SECTION 2. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 7.2 of Title 5, unless there is
created a duplication in numbering, reads as follows:

1 No attorney shall charge, demand, receive, or collect for
2 services rendered pursuant to a contingency fee arrangement, fees in
3 excess of thirty-three percent (33%) of the first One Million
4 Dollars (\$1,000,000.00) recovered and twenty percent (20%) of any
5 amount exceeding One Million Dollars (\$1,000,000.00) of any civil
6 judgment or of any settlement made pursuant to the laws of this
7 state.

8 SECTION 3. REPEALER 5 O.S. 2001, Section 7, is hereby
9 repealed.

10 SECTION 4. This act shall become effective December 1, 2010.

11 SECTION 5. The Ballot Title for the proposed legislative
12 referendum as set forth in SECTIONS 2 and 3 of this act shall be in
13 the following form:

14 BALLOT TITLE
15 Legislative Referendum No. _____ State Question No. _____

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure would amend the Oklahoma Statutes. It would add a
18 new Section 7.2 of Title 5 of the Oklahoma Statutes. It would
19 require that a lawyer could not charge more than a certain
20 percentage of what a client would win in a court case. It would
21 also repeal a section of law that already exists.

22 SHALL THE PROPOSAL BE APPROVED?

23 FOR THE PROPOSAL — YES _____

24 AGAINST THE PROPOSAL — NO _____

