

THE HOUSE OF REPRESENTATIVES  
Monday, February 16, 2009

House Bill No. 1602

HOUSE BILL NO. 1602 - By: SULLIVAN of the House and COFFEE of the Senate.

An Act relating to attorneys and the state bar; ordering a legislative referendum pursuant to the Oklahoma Constitution; limiting amount that an attorney shall charge, demand, receive, or collect for services; repealing 5 O.S. 2001, Section 7, which relates to contingency fees; providing for codification; providing an effective date; providing ballot title; and directing filing.

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

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

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

9 No attorney shall charge, demand, receive, or collect for services rendered pursuant  
10 to a contingency fee arrangement, fees in excess of thirty-three percent (33%) of the first  
11 One Million Dollars (\$1,000,000.00) recovered and twenty percent (20%) of any amount

1 exceeding One Million Dollars (\$1,000,000.00) of any civil judgment or of any settlement  
2 made pursuant to the laws of this state.

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 REPEALER 5 O.S. 2001, Section 7, is hereby repealed.

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

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

7 BALLOT TITLE

8 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

9 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

14 SHALL THE PROPOSAL BE APPROVED?

15 FOR THE PROPOSAL — YES \_\_\_\_\_

16 AGAINST THE PROPOSAL — NO \_\_\_\_\_

17 SECTION 6. The Chief Clerk of the House of Representatives shall, immediately  
18 after the passage of this act, prepare and file one copy thereof, including the Ballot Title  
19 set forth in SECTION 5 hereof, with the Secretary of State and one copy with the  
20 Attorney General.

21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02-12-09 - DO PASS,  
22 As Coauthored.