

Bill Summary
2nd Session of the 57th Legislature

Bill No.:	SB 1820
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Bill Analysis

SB 1820 allows state agencies to select a law firm to represent the agency and directs the Attorney General to add law firms, when applicable, to the list of legal entities eligible to represent state agencies. The Attorney General is also directed to publish the list. Fees for private representatives are capped by the measure at no more than \$1,000.00 per hour or compensation from recovered damages/awards by the court at:

- 1) 15% of that portion of any amount recovered that is \$10 million or less,
- 2) 10% of that portion of any amount recovered that is \$10-\$15 million,
- 3) 5% of that portion of any amount recovered that is \$15-\$20 million, and
- 4) 2% of that portion of any amount recovered that is greater than \$20 million.

The total fee payable to any private attorney or firm is capped by the measure at \$10 million.

The measure also directs agencies to notify the Attorney General of any past or present relationship between a lawyer or firm and the state agency and its employees. Agencies must also notify the Attorney General about any contingency fees and the justification for using private attorneys. Every state agency must hold a public meeting to approve any contract between the agency and the firm/lawyer and must select from a list of at least 3 qualified private attorneys. Private attorneys concluding a contract with a state agency are required by the measure to provide the Attorney General a statement of the hours worked on the cases including detailed records of all timekeeping, expenses incurred, the aggregate fee amount, and a breakdown as to the hourly rate, based on hours worked divided into fee recovered, less expenses.

The Legislative Office of Fiscal Transparency and Contingency Review Board shall receive a copy of the expense report provided to the Attorney General. Any contract between an agency and firm/lawyer must be forwarded to the Legislative Oversight Committee overseeing the Office. The Committee may propose changes to the contract and must respond within 10 days of receiving the contract.

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