

## **Department of Planning and Budget 2018 Fiscal Impact Statement**

**1. Bill Number:** SB926S1

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Mark D. Obenshain

**3. Committee:** Courts of Justice

**4. Title:** Office of the Attorney General; employment of special counsel.

**5. Summary:** The bill limits contingency fees that may be charged by special counsel depending on the amount recovered. Under this bill, contracted special counsel could receive a maximum contingency fee, exclusive of reasonable costs and expenses, of twenty-seven percent on the first \$10 million of recoveries, and reduced fee rates for each additional \$5 million in recoveries, ending in a five percent fee rate for any portion of recovery that exceeds \$25 million.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** See Item 8

**8. Fiscal Implications:** By establishing maximum fees, this bill could potentially have the impact of reducing contingency fees paid for contracted special counsel which could result in savings. According to the Office of the Attorney General, this bill could also make it more difficult to procure certain legal talent in some cases because of these limits. The number of future cases that would trigger the limits contained in this bill are unknown and any resulting impact is indeterminate at this time.

**9. Specific Agency or Political Subdivisions Affected:** Attorney General and Department of Law

**10. Technical Amendment Necessary:** No.

**11. Other Comments:**