

ENGROSSED HOUSE
BILL NO. 1602

By: Sullivan, Tibbs, Derby and
Liebmann 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:

SECTION 6. Pursuant to Section 3 of Article V of the Oklahoma
Constitution, there is hereby ordered the following legislative
referendum which shall be filed with the Secretary of State and
addressed to the Governor of the state, who shall submit the same to
the people for their approval or rejection at the next General
Election, to be held on November 2, 2010.

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

No attorney shall charge, demand, receive, or collect for

services rendered pursuant to a contingency fee arrangement, fees in excess of thirty-three percent (33%) of the first One Million Dollars (\$1,000,000.00) recovered and twenty percent (20%) of any amount exceeding One Million Dollars (\$1,000,000.00) of any civil judgment or of any settlement made pursuant to the laws of this state.

SECTION 6. REPEALER 5 O.S. 2001, Section 7, is hereby repealed.

SECTION 6. This act shall become effective December 1, 2010.

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

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 6. The Chief Clerk of the House of Representatives

1
2 shall, immediately after the passage of this act, prepare and file
3 one copy thereof, including the Ballot Title set forth in SECTION 5
4 hereof, with the Secretary of State and one copy with the Attorney
5 General.

6 Passed the House of Representatives the 18th day of February,
7 2009.

8
9
10 _____
11 Presiding Officer of the House of
Representatives

12 Passed the Senate the ____ day of _____, 2009.

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16 Presiding Officer of the Senate
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