

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM  
2017 REGULAR SESSION  
**Unofficial Document**

Amend printed copy of **HB 281**

On page 1, delete lines 5 to 19 and insert in lieu thereof:

**"(1) The Attorney General shall not award a personal service contract for legal services that provides for payment by contingency fee unless, prior to the award, the Attorney General determines in writing:**

**(a) The contingency fee is both cost-effective and in the public interest;**

**(b) Sufficient and appropriate legal and financial resources do not exist within the Attorney General's office;**

**(c) The amount of time and labor required to perform the requested services;**

**(d) The novelty, complexity, and difficulty of the matter;**

**(e) The skill required to perform the requested services properly;**

**(f) The geographic area where the legal services are to be provided; and**

**(g) The experience desired for the particular kind of legal services to be provided.";** and

On page 2, delete lines 5 to 11, and insert in lieu thereof:

**"(4) A contingency fee shall not exceed twenty million dollars (\$20,000,000), regardless of the number of actions or proceedings or the number of attorneys or law firms involved in the matter, and exclusive of any costs and expenses provided for by the contract and actually incurred by the legal services contractor.";** and

On page 3, delete lines 5 to 11, and insert in lieu thereof:

Amendment No. HFA 5

Rep. Rep. Jason Nemes

Committee Amendment \_\_\_\_\_

Signed: \_\_\_\_\_

Floor Amendment \_\_\_\_\_

LRC Drafter: Lyon, Alice

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Rejected: \_\_\_\_\_

Doc. ID: XXXX

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# Unofficial Document

- "(8) (a) Within five (5) business days after the contract award, the Finance and Administration Cabinet shall post on its Web site each personal service contract for legal services that provides for payment by contingency fee and the accompanying written determinations by the Attorney General described in subsection (1) of this section. The contract and accompanying determinations shall remain on the Web site during the duration of the contract and any extension.
- (b) Any payment of contingency fees shall be posted on the Attorney General's Web site within fifteen (15) days after the payment of such contingency fees to the legal services contractor and shall remain posted on the Web site for at least three hundred sixty-five (365) days."; and

On page 3, delete lines 22 and 23, and insert in lieu thereof:

- "(b) All records described in this subsection shall become public records subject to KRS 61.870 to 61.884 after a judgment or agreement is entered in the case."