

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 648

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S648-ATP-78 [v.5]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [NO]
Third Edition

Date _____, 2014

Senator B. Jackson

1 moves to amend the bill on page 2, lines 29-37, by rewriting those lines to read:

2 "**§ 114-9.5. Contingency Fees.**

3 (a) The Attorney General may give permission under G.S. 114-2.3 for a State agency to
4 enter into a contingency fee contract that provides for the private attorney to receive an
5 aggregate contingency fee, exclusive of reasonable costs and expenses, in excess of:

6 (1) Twenty-five percent (25%) of any damages up to ten million dollars
7 (\$10,000,000); plus

8 (2) Twenty percent (20%) of any portion of such damages between ten million
9 dollars (\$10,000,000) and fifteen million dollars (\$15,000,000); plus

10 (3) Fifteen percent (15%) of any portion of such damages between fifteen
11 million dollars (\$15,000,000) and twenty million dollars (\$20,000,000); plus

12 (4) Ten percent (10%) of any portion of such damages between twenty million
13 dollars (\$20,000,000) and twenty-five million dollars (\$25,000,000); plus

14 (5) Five percent (5%) of any portion of such damages exceeding twenty-five
15 million dollars (\$25,000,000).

16 (b) In no event shall the aggregate contingency fee exceed fifty million dollars
17 (\$50,000,000), exclusive of reasonable costs and expenses, and irrespective of the number of
18 lawsuits filed or the number of private attorneys retained to achieve the recovery.

19 (c) A contingency fee shall not be based on penalties or civil fines awarded or any
20 amounts attributable to penalties or civil fines."

21
22
23
24



* S 6 4 8 - A T P - 7 8 - V - 5 *

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 648

ADOPTED

AMENDMENT NO. A1

(to be filled in by
Principal Clerk)

S648-ATP-78 [v.5]

Page 2 of 2

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**