

BY: Delegate Flanagan

AMENDMENTS TO SENATE BILL NO. 652, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 9, after "Act;" insert "stating a certain finding of the General Assembly regarding a certain contract for legal services; establishing certain requirements for a certain contract for the provision of certain legal services;".

AMENDMENT NO. 2

On page 4 of the bill, after line 12, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Regarding the contract between the Attorney General and the Law Offices of Peter G. Angelos, dated March 27, 1996, for the provisions of legal services to the Attorney General and the State of Maryland in connection with litigation against the tobacco industry, the General Assembly finds that the provision in that contract providing for payment of a fee that is contingent on the outcome of the litigation is unreasonable and against the public policy of the State.

(b) Notwithstanding the provisions of that contract, except as provided in subsection (c) of this section, upon the settlement or other resolution of the litigation, the fee for the legal services provided under the contract shall be paid as determined by the circuit court in which the litigation is pending, to provide, regardless of the outcome of the litigation, for reimbursement of expenses reasonably incurred and for a reasonable fee determined by the court, considering primarily the amount of time spent by the lawyer or lawyers providing the services and a reasonable hourly rate for the services provided.

(c) Notwithstanding subsection (b) of this section, the Attorney General and the Law Offices of Peter G. Angelos may renegotiate the contract to provide for reimbursement for expenses and a reasonable hourly rate for services not contingent on the outcome of the litigation. Upon the

(Over)

settlement or other resolution of the litigation, any such renegotiated fee is subject to review and approval by the circuit court where the litigation is pending regarding the reasonableness of the fee.”.

In the House Judiciary Committee Amendments (SB0652/641998/1), in line 2 of Amendment No. 3, strike “4.” and substitute “5.”.