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

"§ 114-9.5. Contingency Fees.

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

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

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

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

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

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

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

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

AMENDMENT NO. A1

S648-ATP-78 [v.5]

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