

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 136

2016 Regular Session

Ward

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

JUSTICE DEPARTMENT. Provides relative to the employment of special attorneys or counsel. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Increase the amount of the maximum fund balance of the Dept. of Justice Legal Support Fund from \$10 million to \$20 million.
2. Reduces the proposed increase in the limitation of legal fees from \$1,000 per hour to \$750 per hour over the current \$500 per hour.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Present law provides that no payment of attorney fees shall be made out of state funds in the absence of express statutory authority, except such payment of attorney fees as may be approved by the Joint Legislative Committee on the Budget (JLCB) during the interim between legislative sessions.

Proposed law eliminates that requirement and provides that the litigation subcommittee of the JCB can approve such fees at any time.

Present law prohibits the attorney general, or any state agency, board, or commission, not including any public postsecondary education institution, from incurring fees for legal services in excess of the greater of \$500 per hour per person or the maximum rate approved by the Attorney Fee Review Board.

Proposed law increases the limitation to \$750 per hour per person.

Proposed law provides that any contract with an hourly fee of \$750 or more, paid from the Dept. of Justice Legal Support Fund, shall be reported to the JLCB within 90 days of the contract's execution.

Present law provides that certain proceeds recovered by the attorney general shall be deposited each fiscal year into the Department of Justice Legal Support Fund. Provides that the proceeds shall be up to the amount needed to bring the unencumbered fund balance to \$10 million. Further provides that the fund balance shall not exceed \$10 million.

Proposed law increases the amount of the fund balance from \$10 million to \$20 million.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 42:262(B) and (D) and R.S. 49:259(B) and (C)(2) and (3); adds R.S. 49:259(F))

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