

29th Alaska State Legislature

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Senator Lesil McGuire

SCS for HB 308 (JUD)

Summary of Changes
Version A.A to Version H

Title Change

Page 1, Line 1

Following "An Act relating to"

Insert: "to compensation of attorneys in actions against the state;

Page 1, Line 4-5

Following "motor vehicles;"

Insert "and amending Rule 35, Alaska Bar Rules"

Section 1. AS 09.19.300

Page 1, Lines 7-11

New Section

Chapter 19 pertains only to prisoner and correctional facility litigation against the state. This section inserts language regarding compensation of attorneys in actions against the state. Under this new section a plaintiff's attorney may not enter into a contract for payment of fees based on contingency fee in excess of 25% of damages awarded.

Section 2 AS 09.65.094

Page 1, Line 12 thru Page 2, Line 31

Renumbered from Section 1.

Section 3 AS 28.05.095(b)

Page 3, Lines 1-25

Renumbered from Section 2.

Section 4

Page 3, Lines 26-31

Indirect Court Rule Amendment

Section 1, regarding attorney contingency fees has the effect of changing Rule 35, Alaska Bar Rules by established a rule governing the amount of fees that an attorney may receive in an action against the state under AS 09.19

Section 5

Page 4, Lines 1-8

Applicability

(a) Provisions in Section 1 of this act apply to contracts for legal services entered into on or after the effective date of this Act.

Section 6

Page 4, Lines 11-13

Conditional Effect

Section 1 of this act only takes effect if Section 4 of this Act receives a two-thirds majority vote in each house as required by art IV, sec 15, of the Alaska State Constitution.