SENATE BILL NO. 1150

91ST GENERAL ASSEMBLY

AN ACT

To amend chapter 34, RSMo, by adding thereto five new sections relating to attorneys.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 34, RSMo, is amended by adding thereto five new sections, to be known as sections 34.360, 34.363, 34.366, 34.369 and 34.371, to read as follows:

34.360. This act may be known and may be cited as the "Private Attorney Retention Act".

34.363. For the purposes of sections 34.360 to 34.371, a contract is a contract or contracts in which the fee paid to an attorney or group of attorneys, either in the form of a flat, hourly, or contingent fee, and their expenses, exceeds or can be reasonably expected to exceed one hundred thousand dollars in any fiscal year.

34.366. Any state agency that wishes to retain a lawyer or law firm to perform legal services on behalf of the agency shall obtain such services through open and competitive bids.

34.369. No state agency shall enter into a contract or contracts for legal services or encumber on behalf of any such contract or contracts in an amount exceeding one hundred thousand dollars in any fiscal year without a specific appropriation for that purpose.

34.371. At the conclusion of any legal proceeding for which a state agency retained outside counsel on a contingent fee basis, the state agency shall receive from counsel a statement of the hours worked on the case, expenses incurred, the aggregate fee amount, and a breakdown as to the hourly rate, based on hours worked divided into fee recovered, less expenses. Each state agency shall transmit the

information to the office of administration on October 1 for the preceding fiscal year and the office of administration shall submit a report to the general assembly before January 1, annually.

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