1	INTERIM STUDY PROPOSAL 2015-056
2	State of Arkansas As Engrossed: H3/17/15
3	90th General Assembly A Bill
4	Regular Session, 2015HOUSE BILL 1804
5	
6	By: Representative Eubanks
7	Filed with: House Committee on Judiciary
8	pursuant to A.C.A. §10-3-217.
9	For An Act To Be Entitled
10	AN ACT TO REGULATE STATE CONTINGENCY FEE CONTRACTS
11	WITH PRIVATE ATTORNEYS; TO REQUIRE TRANSPARENCY OF
12	ALL STATE CONTINGENCY FEE CONTRACTS WITH PRIVATE
13	ATTORNEYS; AND FOR OTHER PURPOSES.
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15	
16	Subtitle
17	TO REQUIRE TRANSPARENCY OF ALL STATE
18	CONTINGENCY FEE CONTRACTS WITH PRIVATE
19	ATTORNEYS.
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21	
22	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24	SECTION 1. Arkansas Code Title 25, Chapter 1, Subchapter 1, is amended
25	to add an additional section to read as follows:
26	25-1-123. Contingency fee contracts with private attorneys —
27	Transparency.
28	(a) As used in this section:
29	(1) "Private attorney" means:
30	(A) An individual who is a private attorney; or
31	(B) A law firm;
32	(2) "Public entity" means a state agency, constitutional office,
33	constitutional department, board, commission, institution of higher
34	education, municipality, county, school district, improvement districts,
35	public retirement system, and any other political subdivision of the state;
36	and

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1	(3) "State transparency website" means the website developed by
2	the Department of Finance and Administration under the Arkansas Financial
3	<u>Transparency Act, § 25-1-401 et seq.</u>
4	(b)(1) A copy of each executed contingency fee contract between a
5	public entity and a private attorney shall be submitted to the department to
6	be posted on the state transparency website for public inspection within five
7	(5) business days after the date the contract is executed.
8	(2) A contingency fee contract posted on the state transparency
9	website under this section shall remain posted on the state transparency
10	website for the duration of the contingency fee contract, including any
11	extensions of or amendments to the contingency fee contract.
12	(c)(l) Each payment of a contingency fee by a public entity to a
13	private attorney shall be submitted to the department to be posted on the
14	state transparency website within fifteen (15) days after the payment of the
15	contingency fee to the private attorney.
16	(2) A payment of a contingency fee posted on the state
17	transparency website under this chapter shall remain posted on the state
18	transparency website for at least one (1) year.
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20	SECTION 2. Arkansas Code § 25-1-403(1), concerning the definitions to
21	be used under the Arkansas Financial Transparency Act, is amended to read as
22	follows:
23	(1)(A) "Expenditure data" means information provided by a state
24	agency regarding the spending of public funds that adequately identifies the
25	purpose, amount, payor, and vendor, if such disclosure is permissible under
26	the Arkansas Freedom of Information Act of 1967, § 25-19-101 et seq., and
27	federal laws or regulations.
28	(B) "Expenditure data" does not include expenses of
29	pending litigation <u>.</u>
30	(C) "Expenditure data" includes copies of contingency fee
31	contracts and payments of contingency fees under § 25-1-123;
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33	/s/Eubanks
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36	Referred by the Arkansas House of Representatives

1	Prepared	by:	VJF	
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