

House Bill 763

By: Representative Rice of the 51st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 12 of Title 51 of the Official Code of Georgia Annotated,
2 relating to damages in torts generally, so as to provide for compensation for plaintiffs when
3 a contingency fee is involved; to provide for related matters; to provide for an effective date
4 and applicability; to repeal conflicting opinions; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 12 of Title 51 of the Official Code of Georgia Annotated, relating to
8 damages in torts generally, is amended by inserting a new Code section immediately
9 following Code Section 51-12-6, relating to damages for injuries to peace, happiness, or
10 feelings, to read as follows:

11 "51-12-6.1.

12 (a) In any civil action, whether in tort or in contract, for the recovery of damages arising
13 from a tortious injury, which involves a contingency fee, the plaintiff shall be entitled to
14 receive no less than the following amount of compensation:

15 (1) Seventy percent of the first \$500,000.00 recovered;

16 (2) Eighty percent of any amount over \$500,000.00 up to the first \$1 million recovered;
17 and

18 (3) Ninety percent of any amount over \$1 million recovered.

19 (b) Such compensation amounts shall apply whether the recovery is by settlement,
20 arbitration, judgment, or otherwise, regardless of the number of defendants, and shall be
21 exclusive of reasonable and customary court costs relating to said action."

22 **SECTION 2.**

23 This Act shall become effective on July 1, 2005, and shall apply to all actions filed on or
24 after that date.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.