

The Senate Judiciary Committee offered the following substitute to SB 181:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 16 of the Official Code of Georgia Annotated, relating to
2 general provisions for crimes and offenses, so as prohibit contingent compensation under
3 certain circumstances; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Chapter 1 of Title 16 of the Official Code of Georgia Annotated, relating to general
7 provisions for crimes and offenses, is amended by adding a new Code section to read as
8 follows:
9

10 "16-1-12.

11 (a) In any forfeiture action brought pursuant to this title, an attorney appointed by the
12 Attorney General or district attorney as a special assistant attorney general, special assistant
13 district attorney, or other attorney appointed to represent this state in such forfeiture action
14 shall not be compensated on a contingent basis by a percentage of assets which arise or are
15 realized from such forfeiture action. Such attorneys shall also not be compensated on a
16 contingent basis by an hourly, fixed fee, or other arrangement which is contingent on a
17 successful prosecution of such forfeiture action.

18 (b) Nothing in this Code section shall be construed as prohibiting or otherwise restricting
19 the Attorney General or a district attorney from appointing special assistants or other
20 attorneys to assist in the prosecution of any action brought pursuant to this title."

SECTION 2.

21 All laws and parts of laws in conflict with this Act are repealed.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