

Senate Bill 181

By: Senators Bethel of the 54th and Williams of the 19th

AS PASSED SENATE

**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:**

6 **SECTION 1.**

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

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."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.