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SENATE BILL 153

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Steve Komadina

AN ACT

RELATING TO THE PROCUREMENT CODE; PROVIDING REQUIREMENTS FOR
THE PROCUREMENT OF LAWYER SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Procurement Code is
enacted to read:

“~~[NEW MATERIAL]~~ PROCUREMENT OF LAWYER SERVICES. --

A. Notwithstanding any other provision of the
Procurement Code, a contract with a lawyer or law firm, either
in the form of a flat, hourly or contingent fee contract,
including expenses, exceeding or reasonably expected to exceed
one million dollars (\$1,000,000), shall only be procured by
competitive sealed proposals.

B. An hourly fee for contracts referred to in this
section shall not exceed one thousand dollars (\$1,000). An

underscored material = new
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1 hourly fee for flat or contingency fee contracts shall be
2 determined by dividing the total hours worked into the fee,
3 less expenses, and if that hourly fee exceeds one thousand
4 dollars (\$1,000) it shall be reduced to one thousand dollars
5 (\$1,000).

6 C. A contract referred to in this section shall not
7 be effective until approved by the attorney general. The
8 attorney general may require changes to the contract prior to
9 approval. The state agency or local public body procuring the
10 lawyer or law firm services shall submit a copy of the approved
11 contract to the legislative finance committee for informational
12 purposes. "