

HOUSE RESEARCH

Bill Summary

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This bill eliminates a per-hour cap on an award of attorney's or agents fees in a civil action or contested case where the state is a party.

Under current law, if the state or a state agency is a party in an action or contested case proceeding, any prevailing party except the state is entitled to an award of attorney's fees and expenses, if the state's position was not substantially justified in the proceeding and there are no special circumstances which make the award of fees unjust.

Current law caps the per-hour rate to be awarded as attorney's fees at \$125 per hour.