

SENATE BILL REPORT

HB 2024

As of April 24, 2013

Title: An act relating to the institution or prosecution of legal proceedings by the attorney general on behalf of state officers.

Brief Description: Concerning legal proceedings by the attorney general on behalf of state officers.

Sponsors: Representatives Pedersen, Rodne, Jinkins, Klippert, Orwall, O'Ban, Wylie, Ormsby, Kirby, Buys, Roberts, Nealey, Goodman, Hansen, Kagi, Hunter, Ryu, Appleton and Manweller.

Brief History: Passed House: 4/22/13, 85-10.

Committee Activity: Ways & Means:

SENATE COMMITTEE ON WAYS & MEANS

Staff: Steve Jones (786-7440)

Background: Under the state constitution, state statutes, and court decisions, the Attorney General is the legal representative of all state officers. The Attorney General must represent the state and all officials, departments, boards, commissions, and agencies in the courts, before all administrative tribunals or bodies, in all legal or quasi-legal matters, hearings, or proceedings, and advise all officials, departments, boards, commissions, or agencies in all these matters. Superior court judges are state officials for this purpose.

Alleging inadequate funding of the Superior Court of Grays Harbor County, the superior court judges of Grays Harbor County brought legal action against the county and the state. The Attorney General is defending the lawsuit on behalf of the state. The Attorney General is also providing legal representation, through an appointed Special Assistant Attorney General, to the Grays Harbor County judges.

Summary of Bill: The Attorney General is not required to institute or prosecute actions or proceedings on behalf of state officers against the state or a county when the cause of action is related to the sufficiency or level of fiscal appropriations. The Attorney General's duty to prosecute these cases, including cases currently in litigation, ends after the immediate effective date of this legislation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.