

SENATE BILL No. 217

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6-2-12.

Synopsis: Litigation powers of attorneys representing the state. Provides that in any civil or criminal action to which the state or a state officer or employee is a party, an attorney representing the state may not assert or concede that an Indiana statute is unconstitutional.

Effective: Upon passage.

Miller

January 6, 1998, read first time and referred to Committee on Judiciary.



Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

SENATE BILL No. 217

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-6-2-12 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 12. (a) As used in this section, "action"**
4 **refers to a civil or a criminal action to which the state or a state**
5 **officer or employee is a party.**
6 **(b) An attorney representing the state may not assert or concede**
7 **in an action that an Indiana statute is unconstitutional.**
8 SECTION 2. **An emergency is declared for this act.**

