

HOUSE BILL No. 1136

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6-3-2.

Synopsis: Attorney general civil actions. Requires that, unless directed by the general assembly, money collected on behalf of the state or a state agency from a civil action prosecuted by the attorney general shall be deposited in the state general fund and that, as part of the civil action, the attorney general may not require the respondent to spend money for specific purposes.

Effective: Upon passage.

Murphy

January 6, 1999, read first time and referred to Committee on Judiciary.

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First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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HOUSE BILL No. 1136



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 4-6-3-2 IS AMENDED TO READ AS FOLLOWS
- 2 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The attorney general shall
- 3 have charge of and direct the prosecution of all civil actions that are
- 4 brought in the name of the state of Indiana or any state agency.
- 5 (b) In no instance under this section shall the state or a state agency
- 6 be required to file a bond.
- 7 (c) **Unless specifically directed by the general assembly:**
- 8 (1) **except for court costs and attorney's fees, all money**
- 9 **collected on behalf of the state or a state agency from a civil**
- 10 **action prosecuted by the attorney general, including a**
- 11 **settlement, shall be deposited in the state general fund; and**
- 12 (2) **except for restitution or expenses related to a mandatory**
- 13 **injunction, the attorney general may not require the**
- 14 **respondent in a civil action prosecuted by the attorney**
- 15 **general, including a settlement, to spend money for specific**
- 16 **programs or purposes.**
- 17 (d) This section does not affect the authority of prosecuting



1 attorneys to prosecute civil actions.
2 SECTION 2. **An emergency is declared for this act.**

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