

SENATE BILL No. 36

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-6.

Synopsis: Deputy attorney generals in Washington D.C. Permits the Indiana attorney general to employ deputies or assistants to review and monitor federal legislation and other actions that may affect Indiana, and provides that the deputies or assistants may take actions that the attorney general finds necessary to address the legislation or other actions. Provides that the deputies or assistants may reside in or around Washington, D.C., or in another location from which the deputies or assistants may efficiently carry out their duties. Specifies that the deputies or assistants serve at the pleasure of the attorney general. Provides that the attorney general shall study federal legislation, coordinate this study with other states, and report to certain persons concerning the attorney general's opinion with respect to this legislation. Repeals an obsolete provision.

Effective: July 1, 2013.

Banks, Kruse, Yoder

January 7, 2013, read first time and referred to Committee on Judiciary.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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SENATE BILL No. 36



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

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

1 SECTION 1. IC 4-6-7-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2013]: Sec. 1. **(a)** The attorney general is
3 ~~hereby~~ authorized to employ one (1) or more **deputies or** assistants
4 ~~residing in the city of Washington, District of Columbia, to assist him~~
5 ~~in the presentation and prosecution of claims of the state against the~~
6 ~~United States, pertaining to swamplands, or swampland indemnity, as~~
7 ~~he may think necessary. to do the following:~~
8 **(1) Review and monitor legislation, regulations,**
9 **administrative actions, and other activities of the federal**
10 **government that may affect Indiana.**
11 **(2) Take any action the attorney general finds necessary and**
12 **appropriate to respond to, address, or influence any proposal,**
13 **enactment, promulgation, action, order, adjudication, or**
14 **activity described in subdivision (1).**
15 **(b) A deputy or assistant described in subsection (a) may,**
16 **subject to the approval of the attorney general, reside in or around**
17 **Washington, D.C., or in any other location from which the deputy**



1 or assistant may efficiently carry out his or her duties under
2 subsection (a).

3 SECTION 2. IC 4-6-7-2 IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2013]: Sec. 2. The attorney-general shall have
5 power to limit the duration of such employment; and, if not otherwise
6 expressed in the contract of employment, the same shall cease with the
7 term of the attorney-general making such employment. **A deputy or**
8 **assistant described in section 1 of this chapter serves at the**
9 **pleasure of the attorney general.**

10 SECTION 3. IC 4-6-7-3 IS REPEALED [EFFECTIVE JULY 1,
11 2013]. Sec. 3: As compensation and for all their costs and expenses;
12 such assistant or assistants shall receive a sum equal to not more than
13 twenty-five per cent (25%) of the money recovered and turned over to
14 the state, to be fixed in the contract of employment. The state shall not
15 be liable to such assistant or assistants for any other sum; either for
16 compensation or costs: Provided, That in case money so recovered is
17 paid into the state treasury without such per cent having been first
18 deducted, the auditor of state shall issue his warrant, upon a voucher
19 approved by the attorney-general; for a sum equal to not more than
20 twenty-five per cent (25%) of the money so recovered and paid in; and
21 there is hereby appropriated out of the funds of the treasury not
22 otherwise appropriated such sums as may be necessary for such
23 purpose.

24 SECTION 4. IC 4-6-8-1 IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2013]: Sec. 1. In order to maintain full
26 co-operation in the war effort in all fields of proper state activity and
27 to secure concerted action **effectively and appropriately maintain**
28 **coordination and cooperation** among the states to preserve, **modify,**
29 **or enhance, where appropriate,** the operations of state functions of
30 government, it shall be the duty of the attorney general to **shall:**

- 31 (1) study existing and proposed federal legislation; ~~and to~~
32 (2) ~~cooperate~~ **coordinate** with the attorneys general of other
33 cooperating states ~~in such studies~~ to determine the effect of such
34 **this** legislation upon the ~~normal field~~ of state functions,
35 **programs, budgets,** and powers; and ~~to~~
36 (3) report **the results of these studies** to ~~this state's~~ the governor,
37 **and to** senators and representatives in congress ~~the results of such~~
38 **studies in all instances** where, **in the opinion of the attorney**
39 **general, he deems such action the proposed legislation:**
40 (A) is appropriate; or ~~where,~~ in his opinion, any legislation
41 affects; or would affect, if enacted into law, the normal field of
42 (B) may **negatively affect** state functions, **programs,**

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1 **budgets, and or powers.**

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