

FIRST REGULAR SESSION

SENATE BILL NO. 93

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EHLMANN.

Pre-filed December 1, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S0128.011

AN ACT

To repeal section 27.060, RSMo 1994, relating to the powers of the attorney general, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 27.060, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 27.060, to read as follows:

27.060. **1.** The attorney general shall institute, in the name and on the behalf of the state, all civil suits and other proceedings at law or in equity requisite or necessary to protect the rights and interests of the state, and enforce any and all rights, interests or claims against any and all persons, firms or corporations in whatever court or jurisdiction such action may be necessary; and he may also appear and interplead, answer or defend, in any proceeding or tribunal in which the state's interests are involved.

2. The attorney general shall negotiate on behalf of the state of Missouri with the power to settle any litigation relating to desegregation issues pending on August 28, 1999 or which is filed against the state in the future.

3. The attorney general shall zealously defend the constitutionality of any statute which is the subject of a lawsuit challenging that statute's constitutionality. The attorney general shall not represent any other state agency, state official, political subdivision, or other party if the attorney general knows or should know that such representation may cause a conflict with zealously defending

the constitutionality of the statute.

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