

HB 1900 -- PROSECUTING AND CIRCUIT ATTORNEYS

SPONSOR: Schroer

This bill specifies that a prosecuting or circuit attorney performing discretionary functions shall be immune from civil liability if his or her conduct does not violate a clearly established statutory or constitutional right.

Additionally, if a prosecuting or circuit attorney decides not to commence a case against a person after law enforcement notifies the attorney that there is probable cause of a violation of state law, law enforcement may forward the case to the Attorney General's Office for review. After review, if the Attorney General determines there is probable cause of a violation of state law, the Attorney General may prosecute the case in the county in which the offense was committed.