

FIRST REGULAR SESSION

HOUSE BILL NO. 1232

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE UNSICKER.

0392H.031

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 27.050 and 27.060, RSMo, and to enact in lieu thereof two new sections relating to the attorney general.

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

Section A. Sections 27.050 and 27.060, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 27.050 and 27.060, to read as follows:

27.050. 1. The attorney general shall appear on behalf of the state in the court of
2 appeals and in the supreme court and have the management of and represent the state in all
3 appeals to which the state is a party other than misdemeanors and those cases in which the
4 name of the state is used as nominal plaintiff in the trial court.

5 **2. Notwithstanding any provision of law, in matters where the attorney general**
6 **refuses to pursue an action on behalf of a state department or agency, such department**
7 **or agency may bring suit, appear on its own behalf, and represent the department or**
8 **agency in the matter or retain competent counsel for such action.**

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

7 **2. Notwithstanding any provision of law, in matters where the attorney general**
8 **refuses to pursue an action on behalf of a state department or agency, such department**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 or agency may bring suit, appear on its own behalf, and represent the department or
10 agency in the matter or retain competent counsel for such action.

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