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SENATE BILL 5860

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Padden and Kline

Read first time 02/27/13. Referred to Committee on Ways & Means.

1 AN ACT Relating to legal proceedings by the attorney general on  
2 behalf of superior court judges; and amending RCW 43.10.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.10.030 and 2009 c 549 s 5048 are each amended to  
5 read as follows:

6 The attorney general shall:

7 (1) Appear for and represent the state before the supreme court or  
8 the court of appeals in all cases in which the state is interested;

9 (2) Institute and prosecute all actions and proceedings for, or for  
10 the use of the state, which may be necessary in the execution of the  
11 duties of any state officer. However, the attorney general shall not  
12 be required to institute or prosecute actions or proceedings on behalf  
13 of superior court judges unless requested to do so by the administrator  
14 for the courts under chapter 2.56 RCW;

15 (3) Defend all actions and proceedings against any state officer or  
16 employee acting in his or her official capacity, in any of the courts  
17 of this state or the United States;

18 (4) Consult with and advise the several prosecuting attorneys in

1 matters relating to the duties of their office, and when the interests  
2 of the state require, he or she shall attend the trial of any person  
3 accused of a crime, and assist in the prosecution;

4 (5) Consult with and advise the governor, members of the  
5 legislature, and other state officers, and when requested, give written  
6 opinions upon all constitutional or legal questions relating to the  
7 duties of such officers;

8 (6) Prepare proper drafts of contracts and other instruments  
9 relating to subjects in which the state is interested;

10 (7) Give written opinions, when requested by either branch of the  
11 legislature, or any committee thereof, upon constitutional or legal  
12 questions;

13 (8) Enforce the proper application of funds appropriated for the  
14 public institutions of the state, and prosecute corporations for  
15 failure or refusal to make the reports required by law;

16 (9) Keep in proper books a record of all cases prosecuted or  
17 defended by him or her, on behalf of the state or its officers, and of  
18 all proceedings had in relation thereto, and deliver the same to his or  
19 her successor in office;

20 (10) Keep books in which he or she shall record all the official  
21 opinions given by him or her during his or her term of office, and  
22 deliver the same to his or her successor in office;

23 (11) Pay into the state treasury all moneys received by him or her  
24 for the use of the state.

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