

House Bill 1477

By: Representatives Benton of the 31st, England of the 108th, Bearden of the 68th, Keown of the 173rd, Meadows of the 5th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 4 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated,
2 relating to provision of counsel for public officers and public bodies when the Attorney
3 General fails to provide regular counsel, so as to provide that if the Attorney General refuses
4 or fails to represent the state in a criminal or civil case in any court when required by the
5 Governor, then the Governor is authorized to designate legal counsel to represent the state
6 in such case; to provide for payment of legal fees and court costs; to provide for related
7 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 4 of Chapter 15 of Title 45 of the Official Code of Georgia Annotated, relating to
11 provision of counsel for public officers and public bodies when the Attorney General fails
12 to provide regular counsel, is amended by adding a new Code Section 45-15-71 to read as
13 follows:

14 "45-15-71.

15 (a) If the Attorney General refuses or fails to represent the state in a criminal or civil case
16 in any court when required by the Governor, then the Governor is authorized to designate
17 legal counsel to represent the state in such case.

18 (b) Whenever the Governor designates counsel in any case specified in subsection (a) of
19 this Code section, any fees or expenses paid to or on account of such counsel and any court
20 costs may be paid by the state."

21 **SECTION 2.**

22 This Act shall become effective upon its approval by the Governor or upon its becoming law
23 without such approval.

24

SECTION 3.

25 All laws and parts of laws in conflict with this Act are repealed.