

2011 SESSION

LEGISLATION NOT PREPARED BY DLS  
INTRODUCED

11104498D

HOUSE BILL NO. 2468

Offered January 21, 2011

*A BILL to amend and reenact §§ 2.2-11 and 2.2-513 and to amend the Code of Virginia by adding a section numbered § 2.2-511.1, relating to the powers and duties of the Attorney General.*

Patrons—Ebbin, Kory and Toscano

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.2-111 and 2.2-513 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered §2.2-511.1 as follows:**

§ 2.2-111. Suits, actions, etc., by Governor.

A. In order to protect or preserve the interests or legal rights of the Commonwealth and its citizens, the Governor may, by and with the advice of the Attorney General, institute any action, suit, motion or other proceeding, in the name of the Commonwealth, in the Supreme Court of the United States or any other court or tribunal in which such action, suit, motion or other proceeding may be properly commenced and prosecuted.

B. In accordance with subsection A and pursuant to his duty to protect or preserve the general welfare of the citizens of the Commonwealth, the Governor may institute any action, suit, motion or other proceeding on behalf of its citizens, in the name of the Commonwealth acting in its capacity as parens patriae, where he has determined that existing legal procedures fail to adequately protect existing legal rights and interests of such citizens.

*C. If requested or authorized by the Governor to do so, the Attorney General may institute actions pursuant to subsection A or B in the name of the Commonwealth or on behalf of its citizens.*

*§2.2-511.1 Civil Cases*

*Unless specifically requested or authorized by the Governor pursuant to §2.1-111 or by resolution passed by a majority of both houses of the General Assembly, the Attorney General may not institute any civil action, suit, motion or other proceeding or participate in a proceeding as amicus curiae in the name of the Commonwealth in the Supreme Court of the United States or any other court or tribunal.*

§2.2-513. Counsel for Commonwealth in federal matters.

*As requested or authorized by the Governor or the General Assembly, The Attorney General shall represent the interests of the Commonwealth, its departments, boards, institutions and commissions in matters before or controversies with the officers and several departments of the government of the United States.*

INTRODUCED

HB2468