



2017-2018 General Assembly

# SENATE BILL 257: Appropriations Act of 2017, Sec. 6.7: Use of State Funds for Employment of Outside Counsel/General Assembly Right to Intervene

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<b>Committee:</b>		<b>Date:</b>	August 16, 2017
<b>Introduced by:</b>		<b>Prepared by:</b>	Giles Perry Staff Attorney
<b>Analysis of:</b>	Sec. 6.7 of S.L. 2017-57		

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**OVERVIEW:** *Section 6.7 of S.L. 2017-57:*

- *Provides that no State funds can be used by State agencies to pay for litigation services provided by private counsel, except as expressly authorized by an appropriation of the General Assembly, or unless an exception applies.*
- *Makes changes to State law governing standing, necessary joinder, and intervention rights of the General Assembly in specified legal proceedings challenging legislative actions.*
- *Provides that participation of the Speaker and the President Pro Tempore in specified legal proceedings challenging legislative actions do not constitute a waiver of legislative immunity or legislative privilege.*
- *States duties of the Attorney General to the General Assembly in specified legal actions challenging legislation actions.*
- *Provides that the President Pro Tempore and the Speaker continue to have the authority to represent and articulate the institutional position of the General Assembly in the action known as Berger v. Price, 5:17-cv-00025-FL (E.D.N.C.).*

*This section became effective July 1, 2017, with specified provisions applicable to pending and future legal actions.*

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