

## AN ACT

1 Amending the act of October 15, 1980 (P.L.950, No.164), entitled  
2 "A supplement to the act of April 9, 1929 (P.L.177, No.175),  
3 entitled 'An act providing for and reorganizing the conduct  
4 of the executive and administrative work of the Commonwealth  
5 by the Executive Department thereof and the administrative  
6 departments, boards, commissions, and officers thereof,  
7 including the boards of trustees of State Normal Schools, or  
8 Teachers Colleges; abolishing, creating, reorganizing or  
9 authorizing the reorganization of certain administrative  
10 departments, boards, and commissions; defining the powers and  
11 duties of the Governor and other executive and administrative  
12 officers, and of the several administrative departments,  
13 boards, commissions, and officers; fixing the salaries of the  
14 Governor, Lieutenant Governor, and certain other executive  
15 and administrative officers; providing for the appointment of  
16 certain administrative officers, and of all deputies and  
17 other assistants and employes in certain departments, boards,  
18 and commissions; and prescribing the manner in which the  
19 number and compensation of the deputies and all other  
20 assistants and employes of certain departments, boards and  
21 commissions shall be determined,' implementing the addition  
22 of section 4.1 to Article IV of the Constitution of  
23 Pennsylvania; establishing the Office of Attorney General  
24 elected by the citizens and setting forth powers and duties  
25 of the Attorney General; creating an Office of General  
26 Counsel and providing for legal services for Commonwealth  
27 agencies; transferring, reorganizing or reconstituting  
28 certain boards, commissions and agencies; placing certain  
29 duties upon the courts and district attorneys; repealing  
30 certain acts and parts of acts and making appropriations," in  
31 Office of Attorney General, further providing for legal  
32 advice and civil matters.

33 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 204(c) of the act of October 15, 1980  
3 (P.L.950, No.164), known as the Commonwealth Attorneys Act, is  
4 amended to read:

5 Section 204. Legal advice and civil matters.

6 \* \* \*

7 (c) Civil litigation; collection of debts.--

8 (1) The Attorney General shall represent the  
9 Commonwealth and all Commonwealth agencies and upon request,  
10 the Departments of Auditor General and State Treasury and the  
11 Public Utility Commission in any action brought by or against  
12 the Commonwealth or its agencies, and may intervene in any  
13 other action, including those involving charitable bequests  
14 and trusts or the constitutionality of any statute. The  
15 Attorney General shall represent the Commonwealth and its  
16 citizens in any action brought for violation of the antitrust  
17 laws of the United States and the Commonwealth.

18 (2) The Attorney General shall collect, by suit or  
19 otherwise, all debts, taxes and accounts due the Commonwealth  
20 which shall be referred to and placed with the Attorney  
21 General for collection by any Commonwealth agency; the  
22 Attorney General shall keep a proper docket or dockets, duly  
23 indexed, of all such claims, showing whether they are in  
24 litigation and their nature and condition.

25 (3) The Attorney General may, upon determining that it  
26 is more efficient or otherwise is in the best interest of the  
27 Commonwealth, authorize the General Counsel or the counsel  
28 for an independent agency to initiate, conduct or defend any  
29 particular litigation or category of litigation in his stead.

30 (4) The Attorney General shall approve all settlements

1 over such maximum amounts as he shall determine arising out  
2 of claims brought against the Commonwealth pursuant to 42  
3 Pa.C.S. § 5110.

4 (5) In carrying out the powers and duties under this  
5 subsection, the Attorney General may not enter into a  
6 contingency fee agreement with a private attorney for  
7 representation of the Commonwealth, a Commonwealth agency or  
8 the Office of Attorney General in any civil action or  
9 litigation.

10 \* \* \*

11 Section 2. This act shall take effect in 60 days.