

S.B. 145

COUNTY ATTORNEY CHAPTER RECODIFICATION

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 7, 2013 3:18 PM

Senator **Todd Weiler** proposes the following amendments:

1. *Page 11, Lines 327 through 330:*

- 327 (3) A public prosecutor may not after the filing of an indictment or information and without the
consent of the court :
- 328 (a) compromise a prosecution; or
- 329 (b) enter a plea of nolle prosequi {after the filing of an indictment or information
330 without the consent of the court } .

2. *Page 13, Lines 373 through 378:*

- 373 (2) The attorney:
- 374 (a) does not represent a county commission, county agency, county board, county
375 council, county officer, or county employee;
- 376 (b) counsels with the county regarding civil matters; and
- 377 (c) receives direction from the county through the county elected officers in accordance
378 with the officers' duties and powers in accordance with law.
- (3) Notwithstanding Subsection (2)(a), the attorney may represent an employee named as a party
in litigation:
- (a) with the approval of the county executive; and
- (b) if permitted by law and the Rules of Professional Conduct.