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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2000

02/25/2014 Authored by Drazkowski

The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to county attorneys; clarifying circumstances when county board may
1.3 employ outside counsel; authorizing certain payments out of county attorney
1.4 budget; amending Minnesota Statutes 2012, section 388.09, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 388.09, subdivision 1, is amended to read:

1.7 Subdivision 1. **General provisions.** (a) When there is no county attorney, the county
1.8 board may employ any competent attorney to perform legal services for the county. The
1.9 board may employ an attorney to assist the county attorney, to appear for the county or
1.10 any county officer in any action in which the county or officer in an official capacity is
1.11 a party, to advise the board or its members in relation to the action, or in relation to any
1.12 other matter affecting the interests of the county. The county may pay the attorney out of
1.13 the funds of the county.

1.14 (b) The county board may employ an attorney to assist the board under section
1.15 388.051, subdivision 1, clause (b), at any time it deems advisable and for any length of
1.16 time not to exceed the remaining term of office of the county attorney. Subject to section
1.17 388.18, the county may pay the attorney out of either or both of the following:

- 1.18 (1) the funds of the county; or
- 1.19 (2) the budget for the office of the county attorney.