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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3102

02/03/2022

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The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act  
1.2 relating to state government; specifying the performance of legal services by the  
1.3 Office of the Attorney General; proposing coding for new law in Minnesota  
1.4 Statutes, chapter 8.

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

1.6 Section 1. **[8.011] PERFORMANCE OF LEGAL SERVICES.**

1.7 (a) Except as otherwise provided by law, all legal services of the Office of the Attorney  
1.8 General shall be performed exclusively by:

1.9 (1) an employee of the office;

1.10 (2) an employee of another Minnesota governmental entity as may be provided by law;

1.11 or

1.12 (3) an employee of a federal governmental entity pursuant to an agreement between the  
1.13 Office of the Attorney General and the federal governmental entity.

1.14 Except as otherwise provided under this section, the sole source of compensation paid to  
1.15 employees of the Office of the Attorney General for performing legal services on behalf of  
1.16 the state shall be from the appropriations provided under this chapter. In any case in which  
1.17 the Office of the Attorney General is authorized under law to contract with, hire, or engage  
1.18 a person other than a person described in clauses (1), (2), or (3) to perform legal services  
1.19 on behalf of the state, the sole consideration for the legal services shall be a monetary amount  
1.20 bargained for in an arm's length transaction with the person and the Office of the Attorney  
1.21 General or another Minnesota governmental entity, and must state under what authority  
1.22 that office enters the contract.

2.1 (b) Only persons described in paragraph (a), clause (1), (2), or (3), shall perform legal  
2.2 services on premises leased by the Office of the Attorney General. Nothing in this section  
2.3 shall prohibit the Office of the Attorney General from entering into a settlement agreement  
2.4 with a defendant arising from a case litigated or prosecuted by a federal governmental entity,  
2.5 local governmental entity, or an attorney general's office in another state or a United States  
2.6 territory. Nothing in this section shall prohibit the Office of the Attorney General from  
2.7 employing and providing office space to an unpaid intern assisting in performing legal  
2.8 services, provided that the intern does not possess a current license to practice law in  
2.9 Minnesota, any other state or commonwealth, or any United States territory.