

1 AN ACT concerning the Attorney General.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Attorney General Act is amended by  
5 changing Section 4 as follows:

6 (15 ILCS 205/4) (from Ch. 14, par. 4)

7 Sec. 4. Duties. The duties of the Attorney General shall  
8 be--

9 First - To appear for and represent the people of the  
10 State before the supreme court in all cases in which the  
11 State or the people of the State are interested.  
12 Notwithstanding this provision, the Office of Public Counsel  
13 shall be authorized to represent the interests of the people  
14 of the State in all proceedings pertinent to utility  
15 regulation, including cases before the supreme court, where  
16 any such case is properly brought by the Office pursuant to  
17 its statutory duties and powers.

18 Second - To institute and prosecute all actions and  
19 proceedings in favor of or for the use of the State, which  
20 may be necessary in the execution of the duties of any State  
21 officer.

22 Third - To defend all actions and proceedings against any  
23 State officer, in his official capacity, in any of the courts  
24 of this State or the United States.

25 Fourth - To consult with and advise the several State's  
26 Attorneys in matters relating to the duties of their office;  
27 and when, in his judgment, the interest of the people of the  
28 State requires it, he shall attend the trial of any party  
29 accused of crime, and assist in the prosecution. When the  
30 Attorney General has requested in writing that a State's  
31 Attorney initiate court proceedings to enforce any provisions

1 of the Election Code or to initiate a criminal prosecution  
2 with respect to a violation of the Election Code, and when  
3 the State's Attorney has declined in writing to initiate  
4 those proceedings or prosecutions or when the State's  
5 Attorney has neither initiated the proceedings or  
6 prosecutions nor responded in writing to the Attorney General  
7 within 60 days of the receipt of the request, the Attorney  
8 General may, concurrently with or independently of the  
9 State's Attorney, initiate such proceedings or prosecutions.

10 Fifth - To investigate alleged violations of the statutes  
11 which the Attorney General has a duty to enforce and to  
12 conduct other investigations in connection with assisting in  
13 the prosecution of a criminal offense at the request of a  
14 State's Attorney.

15 Sixth - To consult with and advise the governor and other  
16 State officers, and give, when requested, written opinions  
17 upon all legal or constitutional questions relating to the  
18 duties of such officers respectively.

19 Seventh - To prepare, when necessary, proper drafts for  
20 contracts and other writings relating to subjects in which  
21 the State is interested.

22 Eighth - To give written opinions, when requested by  
23 either branch of the general assembly, or any committee  
24 thereof, upon constitutional or legal questions.

25 Ninth - To enforce the proper application of funds  
26 appropriated to the public institutions of the State,  
27 prosecute breaches of trust in the administration of such  
28 funds, and, when necessary, prosecute corporations for  
29 failure or refusal to make the reports required by law.

30 Tenth - To keep, a register of all cases prosecuted or  
31 defended by him, in behalf of the State or its officers, and  
32 of all proceedings had in relation thereto, and to deliver  
33 the same to his successor in office.

34 Eleventh - To keep on file in his office a copy of the

1 official opinions issued by the Attorney General and deliver  
2 same to his successor.

3 Twelfth - To pay into the State treasury all moneys  
4 received by him for the use of the State.

5 Thirteenth - To attend to and perform any other duty  
6 which may, from time to time, be required of him by law.

7 Fourteenth - To attend, present evidence to and prosecute  
8 indictments returned by each Statewide Grand Jury.

9 (Source: P.A. 87-466.)