

# HOUSE BILL No. 1090

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-6-3-2.1; IC 34-33.1-1-2.

**Synopsis:** The attorney general and amicus curiae briefs. Provides that the attorney general may file an amicus curiae brief only if the governor gives written approval to file the amicus curiae brief. Makes a conforming change.

**Effective:** July 1, 2026.

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**DeLaney**

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January 5, 2026, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1090

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 4-6-3-2.1 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2026]: **Sec. 2.1. The attorney general may file an amicus curiae**
- 4 **brief only if the governor gives written approval to file the amicus**
- 5 **curiae brief.**
- 6 SECTION 2. IC 34-33.1-1-2, AS ADDED BY P.L.40-2010,
- 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2026]: Sec. 2. The state, by the attorney general, **with written**
- 9 **approval of the governor as set forth in IC 4-6-3-2.1**, may file an
- 10 amicus curiae brief in any matter pending in any state court **or federal**
- 11 **court** without the consent of the parties or leave of the court. The
- 12 attorney general shall file the amicus curiae brief within the time
- 13 allowed for the party with whom the state is substantively aligned to
- 14 file the party's brief or petition. However, for good cause shown, a **state**
- 15 court may permit the attorney general to file a belated amicus curiae
- 16 brief. If the **state** court permits the filing of a belated amicus curiae
- 17 brief, the **state** court shall set a deadline for an opposing party to file



1 a reply brief.

