

# **Rule 12.071. Constitutional Challenge to State Statute or County or Municipal Charter, Ordinance, or Franchise; Notice By Party.**

A party that files a pleading, written motion, or other document drawing into question the constitutionality of a state statute or a county or municipal charter, ordinance, or franchise must promptly

**(a)** file a notice of constitutional question stating the question and identifying the document that raises it; and

**(b)** serve the notice and the pleading, written motion, or other document drawing into question the constitutionality of a state statute or a county or municipal charter, ordinance, or franchise on the Attorney General or the state attorney of the judicial circuit in which the action is pending, by either certified or registered mail.

Service of the notice and pleading, written motion, or other document does not require joinder of the Attorney General or the state attorney as a party to the action.