

FIRST REGULAR SESSION

# SENATE BILL NO. 97

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR RUSSELL.

Pre-filed December 1, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

0412S.011

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## AN ACT

To repeal section 484.020, RSMo, relating to the practice of law, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 484.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 484.020, to read as follows:

484.020. 1. No person shall engage in the practice of law or do law business, as defined in section 484.010, or both, unless **[he] such person** shall have been duly licensed **[therefor] to practice** and while his **or her** license **[therefor] to practice law** is in full force and effect, nor shall any association, partnership, limited liability company or corporation, except a professional corporation organized pursuant to the provisions of chapter 356, RSMo, a limited liability company organized and registered pursuant to the provisions of chapter 347, RSMo, or a limited liability partnership organized or registered pursuant to the provisions of chapter 358, RSMo, engage in the practice of the law or do law business as defined in section 484.010, or both.

2. Any person, association, partnership, limited liability company or corporation who shall violate the foregoing prohibition of this section shall be guilty of a **class A** misdemeanor and upon conviction therefor shall be punished by a fine not exceeding one hundred dollars and costs of prosecution and shall be subject to be sued for treble the amount which shall have been paid **[him] such person** or it for any service rendered in violation **[hereof] of this section** by the person, firm, association, partnership, limited liability company or corporation paying the same within two years from the date the same shall have been paid and if within said time such

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

person, firm, association, partnership, limited liability company or corporation shall neglect and fail to sue for or recover such treble amount, then the state of Missouri shall have the right to and shall sue for such treble amount and recover the same and upon the recovery [thereof] such treble amount shall be paid into the treasury of the state of Missouri.

**3. In all proceedings before the administrative hearing commission or any state agency it shall not be necessary for a corporation authorized to do business in this state to be represented by counsel if such corporation is represented by either the president or chief executive officer of such corporation or a person employed by such corporation and designated by the president or chief executive officer to represent the corporation. In any such proceeding before the administrative hearing commission or a state agency when a corporation is represented by either its president or chief executive officer, or by a designated person, such representation shall not be construed to be the practice of law as such term is defined in section 484.010.**

4. It is hereby made the duty of the attorney general of the state of Missouri or the prosecuting attorney of any county or city in which service of process may be had upon the person, firm, association, partnership, limited liability company or corporation liable [hereunder] **pursuant to this section**, to institute all suits necessary for the recovery by the state of Missouri of such amounts in the name and on behalf of the state.

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