

SECOND REGULAR SESSION

SENATE BILL NO. 1400

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

5901S.011

KRISTINA MARTIN, Secretary

AN ACT

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

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Section A. Section 484.020, RSMo, is repealed and one new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

484.020. 1. No person shall engage in the practice of
2 law or do law business, as defined in section 484.010, or
3 both, unless he shall have been duly licensed therefor and
4 while his license therefor is in full force and effect, nor
5 shall any association, partnership, limited liability
6 company, or corporation, except a professional corporation
7 organized pursuant to the provisions of chapter 356, a
8 limited liability company organized and registered pursuant
9 to the provisions of chapter 347, or a limited liability
10 partnership organized or registered pursuant to the
11 provisions of chapter 358, engage in the practice of the law
12 or do law business as defined in section 484.010, or both.

13 2. Any person, association, partnership, limited
14 liability company, or corporation who shall violate the
15 foregoing prohibition of this section shall be guilty of a
16 misdemeanor and upon conviction therefor shall be punished
17 by a fine not exceeding one hundred dollars and costs of

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

18 prosecution and shall be subject to be sued for treble the
19 amount which shall have been paid him or it for any service
20 rendered in violation **[hereof] of this section or treble the**
21 **amount of actual damages resulting from the service rendered**
22 **in violation of this section** by the person, firm,
23 association, partnership, limited liability company, or
24 corporation paying **[the same] for the service** within two
25 years from the date the same shall have been paid and if
26 within said time such person, firm, association,
27 partnership, limited liability company, or corporation shall
28 neglect and fail to sue for or recover such treble amount,
29 then the state of Missouri shall have the right to and shall
30 sue for such treble amount and recover the same and upon the
31 recovery thereof such treble amount shall be paid into the
32 treasury of the state of Missouri.

33 3. It is hereby made the duty of the attorney general
34 of the state of Missouri or the prosecuting attorney of any
35 county or city in which service of process may be had upon
36 the person, firm, association, partnership, limited
37 liability company, or corporation liable hereunder, to
38 institute all suits necessary for the recovery by the state
39 of Missouri of such amounts in the name and on behalf of the
40 state.

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