

1 HB585
2 159902-1
3 By Representatives Butler, Williams (D) and Rich
4 RFD: Judiciary
5 First Read: 11-MAR-14

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8 SYNOPSIS: Under existing law, a person, firm, or
9 corporation who is not a regularly licensed
10 attorney is prohibited from practicing law.

11 This bill would allow a person who is the
12 sole shareholder of a corporation, sole owner of a
13 business entity, or a member of a limited liability
14 company with five or less members to appear in a
15 court of law on behalf of that entity.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 To amend Section 34-3-7 of the Code of Alabama 1975,
22 to allow a person who is the sole shareholder of a
23 corporation, sole owner of a business entity, or a member of a
24 limited liability company with five or less members to appear
25 in a court of law on behalf of that entity.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 34-3-7 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§34-3-7.

4 "(a) Any person, firm, or corporation who is not a
5 regularly licensed attorney who does an act defined in this
6 article to be an act of practicing law is guilty of a
7 misdemeanor and, on conviction, ~~must~~ shall be punished as
8 provided by law. Any person, firm, or corporation who
9 conspires with, aids, and abets another person, firm, or
10 corporation in the commission of ~~such~~ the misdemeanor ~~must~~, on
11 conviction, shall be punished as provided by law.

12 "(b) Notwithstanding any provisions of law, a person
13 who is the sole shareholder of a corporation, sole owner of a
14 business entity, or a member of a limited liability company
15 with five or less members may appear in a court of law on
16 behalf that entity without violating the provisions of this
17 article. A person who appears before a court of law in
18 accordance with this subsection shall be held to the same
19 standards of conduct and subject to all of the rules of court
20 applicable to the proceeding as if he or she were a regularly
21 licensed attorney."

22 Section 2. This act shall become effective on the
23 first day of the third month following its passage and
24 approval by the Governor, or its otherwise becoming law.