

1 HB119
2 182901-1
3 By Representative Fridy
4 RFD: Judiciary
5 First Read: 09-JAN-18

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8 SYNOPSIS: Under existing law, an attorney who gives
9 money to a person for the purpose of encouraging
10 that person to bring an action against another is
11 guilty of a misdemeanor and may be fined or
12 imprisoned.

13 This bill would increase the criminal
14 penalty for an attorney who gives money to a person
15 for the purpose of encouraging that person to bring
16 an action against another.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To amend Sections 34-3-24 and 34-3-35, Code of
23 Alabama 1975, relating to attorneys; to increase the criminal
24 penalty for an attorney who gives money to a person for the
25 purpose of encouraging that person to bring an action against
26 another.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Sections 34-3-24 and 34-3-35, Code of
2 Alabama 1975, are amended to read as follows:

3 "§34-3-24.

4 "Any attorney~~-at-law~~, either before or after action
5 brought, who gives, offers, or promises to give a valuable
6 consideration to another person as an inducement to placing in
7 the hands of such attorney or in the hands of any partnership
8 of attorneys, or in the hands of any other attorney, a demand
9 of any kind for the purpose of bringing an action or making
10 claim against another person, corporation or partnership, or
11 who gives or offers or promises a valuable consideration to
12 any person in consideration of such person having so placed in
13 his hands as an attorney, or of any other attorney,
14 partnership or firm of attorneys, a demand of any kind for the
15 purpose of bringing an action or making claim against another;
16 or who employs or offers to employ any person to search for or
17 procure clients to be brought to such attorney or any other
18 attorney, or partnership or firm of attorneys; or who employs
19 or offers to employ a person to solicit, search for or procure
20 business for himself as attorney or for any other attorney,
21 firm or partnership of attorneys shall be guilty of a
22 misdemeanor and, on conviction, shall be fined in a sum not
23 exceeding ~~\$1,000~~ ten thousand dollars (\$10,000) and also be
24 removed and disbarred from practicing as an attorney~~-at-law~~ in
25 this state, and may be imprisoned in the county jail or
26 sentenced to hard labor for the county for a term not

1 exceeding ~~six months~~ one year, at the discretion of the court
2 trying the case.

3 "§34-3-25.

4 "Any person who shall, before or after an action is
5 brought, receive or agree to receive from any attorney~~-at-law~~,
6 firm or partnership of attorneys compensation for services in
7 seeking out, procuring or placing in the hands of an attorney,
8 firm or partnership of attorneys a demand of any kind for an
9 action or compromise shall be guilty of a misdemeanor and,
10 upon conviction, shall be fined in a sum not exceeding ~~\$1,000~~
11 ten thousand dollars (\$10,000) and, in addition, may be
12 punished by imprisonment in the county jail or by hard labor
13 for the county for a term not exceeding ~~six months~~ one year,
14 at the discretion of the court trying the case."

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