



HB 1889

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A bill to be entitled
An act relating to restrictions on the practice of law;
amending s. 454.23, F.S.; making the unauthorized practice
of law a felony and providing corresponding increases in
penalties; amending s. 454.18, F.S.; removing the
prohibition on sheriffs and deputy sheriffs practicing
law; revising terminology; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 454.23, Florida Statutes, is amended to read:

454.23 Penalties.--Any person not licensed or otherwise authorized by the Supreme Court of Florida who shall practice law or assume or hold himself or herself out to the public as qualified to practice in this state, or who willfully pretends to be, or willfully takes or uses any name, title, addition, or description implying that he or she is qualified, or recognized by law as qualified, to act as a lawyer in this state, and any person entitled to practice who shall violate any provisions of this chapter, commits ~~shall be guilty of a felony~~ misdemeanor of the third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

Section 2. Section 454.18, Florida Statutes, is amended to read:

454.18 Officers not allowed to practice.--~~A No sheriff or clerk or deputy clerk of any court, or deputy thereof, may not shall practice in this state, and nor shall any person who is not of good moral character, or who has been convicted of an infamous crime is not~~ be entitled to practice. ~~A But no~~ person



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31 may not ~~shall~~ be denied the right to practice on account of
32 gender ~~sex~~, race, or color. ~~And~~ Any person, whether an attorney
33 or not, or whether within the exceptions mentioned above or not,
34 may conduct his or her own cause in any court of this state, or
35 before any public board, committee, or officer, subject to the
36 lawful rules and discipline of such court, board, committee, or
37 officer. The provisions of this section restricting the practice
38 of law by a ~~sheriff or~~ clerk, or deputy clerk of the court
39 ~~thereof~~, do shall not apply in a case in which ~~where~~ such person
40 is representing the office or agency in the course of duties as
41 an attorney.

42 Section 3. This act shall take effect upon becoming a law.