

1 A bill to be entitled
 2 An act relating to the unauthorized practice of
 3 law; amending ss. 454.23, 454.31, and 454.32,
 4 F.S.; increasing the criminal penalties for
 5 offenses related to the unauthorized practice
 6 of law; specifying that such offenses are
 7 punishable as felonies of the third degree;
 8 clarifying the elements of such offenses;
 9 providing an effective date.

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

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

15 454.23 Penalties.--Any person not licensed or
 16 otherwise authorized to practice law in this state ~~by the~~
 17 ~~Supreme Court of Florida~~ who practices ~~shall practice~~ law in
 18 this state or holds ~~assume or hold~~ himself or herself out to
 19 the public as qualified to practice law in this state, or who
 20 willfully pretends to be, or willfully takes or uses any name,
 21 title, addition, or description implying that he or she is
 22 qualified, or recognized by law as qualified, to practice law
 23 ~~act as a lawyer~~ in this state, commits ~~and any person entitled~~
 24 ~~to practice who shall violate any provisions of this chapter,~~
 25 ~~shall be guilty of a~~ felony misdemeanor of the third first
 26 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083,
 27 or s. 775.084.

28 Section 2. Section 454.31, Florida Statutes, is
 29 amended to read:

30 454.31 Practice while disbarred or suspended
 31 prohibited.--Any person who has been knowingly disbarred and

1 who has not been lawfully reinstated or is knowingly under
 2 suspension from the practice of law by any circuit court of
 3 the state or by the Supreme Court of the state who practices
 4 ~~shall either directly or indirectly practice~~ law in this state
 5 ~~any manner~~ or holds ~~hold~~ himself or herself out as an attorney
 6 at law or qualified to practice law in this state commits
 7 ~~shall be guilty of a felony misdemeanor~~ of the third first
 8 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083,
 9 or s. 775.084.

10 Section 3. Section 454.32, Florida Statutes, is
 11 amended to read:

12 454.32 Aiding or assisting disbarred or suspended
 13 attorney prohibited.--~~A person~~ Any attorney at law licensed to
 14 ~~practice in the courts of the state~~ who knowingly ~~either~~
 15 ~~directly or indirectly~~ aids or assists any person in carrying
 16 on the unauthorized practice of law, knowing that such person
 17 ~~either directly or indirectly in any manner whatsoever~~ who has
 18 been disbarred and has not been lawfully reinstated or is
 19 under ~~the~~ suspension from the practice of law by any circuit
 20 court of the state or by the Supreme Court of the state,
 21 commits, as provided in s. 454.31, from the practice of law,
 22 ~~shall be guilty of a felony misdemeanor~~ of the third second
 23 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083,
 24 or s. 775.084, and shall also be subject to disbarment.

25 Section 4. This act shall take effect October 1, 2004.
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