

1 A bill to be entitled
 2 An act relating to the unlicensed practice of law;
 3 amending s. 454.23, F.S.; exempting persons engaging
 4 in certain activities from criminal prosecution for
 5 the unlicensed practice of law; providing an effective
 6 date.

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

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

12 454.23 Unlicensed practice of law; prohibition; penalties;
 13 exceptions.—

14 (1) A ~~Any~~ person not licensed or otherwise authorized to
 15 practice law in this state who practices law in this state or
 16 holds himself or herself out to the public as qualified to
 17 practice law in this state, or who willfully pretends to be, or
 18 willfully takes or uses any name, title, addition, or
 19 description implying that he or she is qualified, or recognized
 20 by law as qualified, to practice law in this state, commits a
 21 felony of the third degree, punishable as provided in s.
 22 775.082, s. 775.083, or s. 775.084.

23 (2) Notwithstanding subsection (1), a person engaging in
 24 any of the following activities is exempt from criminal
 25 prosecution under this section:

26 (a) Pro se representation;

- 27 (b) Serving as a mediator or arbitrator;
- 28 (c) Providing services under the supervision of a lawyer
- 29 in compliance with The Florida Bar's Rules of Professional
- 30 Conduct;
- 31 (d) Providing services authorized by court rule;
- 32 (e) Acting within the lawful scope of practice of a
- 33 business or profession regulated by the state;
- 34 (f) The giving of a legal notice in the form and manner
- 35 required by law; however, this paragraph does not apply to
- 36 notice required as part of a court proceeding or as required by
- 37 court rule; or
- 38 (g) Representation before a legislative body, committee,
- 39 commission, or board.
- 40 Section 2. This act shall take effect July 1, 2014.