

1 HB306  
2 182901-1  
3 By Representatives Fridy, Farley, Faulkner, Hill and Pettus  
4 RFD: Judiciary  
5 First Read: 23-FEB-17

2  
3  
4  
5  
6  
7  
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.