

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM

2026 REGULAR SESSION

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Amend printed copy of **HB 526**

Delete page 1, line 2, to page 2, line 11, in its entirety, and insert the following in lieu thereof:

"WHEREAS, Section 1 of the Constitution of Kentucky recognizes the inherent and inalienable rights of individuals, including the right of acquiring and protecting property and pursuing a lawful occupation; and

WHEREAS, Section 8 of the Constitution of Kentucky and the First Amendment to the Constitution of the United States protect the freedoms of speech and association, including the right to refrain from compelled speech or compelled association; and

WHEREAS, the General Assembly finds that requiring membership in, or the payment of dues to, a private association as a condition of holding a professional or occupational license similarly compels association and financial support as a prerequisite to engaging in lawful work; and

WHEREAS, licensing by the Commonwealth exists to protect public health, safety, and welfare through objective standards of education, competency, and ethical conduct, and not to compel participation in or financial support of private organizations; and

WHEREAS, conditioning licensure on association membership or dues imposes unnecessary financial burdens on licensees, creates barriers to entry into lawful professions, and conflicts with the Commonwealth’s public policy favoring individual economic liberty and

Amendment No. HFA 3

Committee Amendment _____

Floor Amendment _____

Adopted: _____

Rejected: _____

Rep. Rep. Steven Doan

Signed: _____

LRD Drafter: _____

Date: _____

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voluntary association; and

WHEREAS, it is therefore the purpose of this Act to ensure that no member of the bar is required, directly or indirectly, to join, maintain membership in, or financially support any association as a condition of obtaining, renewing, reinstating, or holding a license to practice law in the Commonwealth of Kentucky;

NOW, THEREFORE,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 21A IS CREATED TO READ AS FOLLOWS:

(1) The Supreme Court has power to provide for the organization, governance, and membership of the bar of Kentucky, and to adopt rules and regulations to govern the conduct and activity of the bar and its members, except that no member of the bar, without the member's annual written consent, shall be required to join or pay membership dues to any association or entity beyond payment of fees required to support the costs associated with:

(a) Admission to the bar; and

(b) Discipline of members of the bar.

(2) For purposes of this section, a member of the bar is any attorney licensed to practice law in Kentucky.

➔Section 2. KRS 21A.300 is amended to read as follows:

(1) Notwithstanding Section 1 of this Act~~[KRS 21A.160]~~, for a period of thirty (30) days following the filing of a criminal or civil action, or claim for damages, or a traffic citation, injury, accident, or disaster, an attorney or an attorney referral service~~[shall be subject to the following prohibition. An attorney or an attorney referral service]~~ shall not directly solicit, or knowingly permit another person to directly solicit on~~[his or its]~~ behalf of the

attorney or the attorney referral service, a victim of the accident or disaster, or a relative of the victim, for the purpose of obtaining professional employment relating to a criminal or civil action~~[,]~~ or claim for damages~~[,]~~ arising out of the traffic citation, injury, accident, or disaster.

- (2) Notwithstanding Section 1 of this Act~~[KRS 21A.160]~~, an attorney shall not knowingly accept a referral from an attorney referral service when that referral has resulted from the attorney referral service violating the prohibition established in subsection (1) of this section.

➔Section 3. KRS 21A.310 is amended to read as follows:

~~[(1)]~~ Notwithstanding Section 1 of this Act~~[KRS 21A.160]~~, any person violating any provision of KRS 21A.300:

(1) Shall, upon conviction, be guilty of a Class A misdemeanor; and~~[,]~~

(2) ~~[The Kentucky Supreme Court]~~May be disciplined by the Kentucky Supreme Court~~[discipline any attorney who violates any provision of KRS 21A.300.~~

~~(3) A penalty may be imposed on an attorney pursuant to subsection (1) of this section, subsection (2) of this section, or both subsections].~~

➔Section 4. The following KRS section is repealed:

21A.160 Organization and control of state bar vested in Supreme Court.

➔Section 5. Sections 1 to 4 of this Act take effect July 1, 2027."