

1 AN ACT relating to members of the bar.

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

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

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

11 *(a) Admission to the bar; and*

12 *(b) Discipline of members of the bar.*

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

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

16 (1) Notwithstanding *Section 1 of this Act*~~[KRS 21A.160]~~, for a period of thirty (30)
17 days following the filing of a criminal or civil action, or claim for damages, or a
18 traffic citation, injury, accident, or disaster, an attorney or an attorney referral
19 service~~[shall be subject to the following prohibition. An attorney or an attorney~~
20 ~~referral service]~~ shall not directly solicit, or knowingly permit another person to
21 directly solicit on~~[his or its]~~ behalf *of the attorney or the attorney referral service,*
22 a victim of the accident or disaster, or a relative of the victim, for the purpose of
23 obtaining professional employment relating to a criminal or civil action~~[,]~~ or claim
24 for damages~~[,]~~ arising out of the traffic citation, injury, accident, or disaster.

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

1 subsection (1) of this section.

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

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

5 *(1)* Shall, upon conviction, be guilty of a Class A misdemeanor; *and*.

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

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

10 ➔Section 4. The following KRS section is repealed:

11 21A.160 Organization and control of state bar vested in Supreme Court.