

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.