

SENATE BILL No. 467

By Committee on Ways and Means

2-18

1 AN ACT concerning attorneys; relating to advertising.

2

3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) An attorney who is not regularly admitted to practice
5 law in Kansas shall not engage in advertising directed at Kansas citizens
6 for the purpose of soliciting clients for commencement of any civil action
7 that has been, or could be, commenced in this state, unless the attorney
8 who is not regularly admitted to practice law in Kansas:

9 (1) Is authorized by other law to provide legal services in Kansas,
10 including attorneys authorized by federal law to practice before the
11 immigration and naturalization service, before the U.S. patent office,
12 before the internal revenue service or before the social security
13 administration anywhere in the United States; or

14 (2) has associated with an attorney who is regularly admitted to
15 practice law in Kansas, who intends to work in substantial aspects on the
16 legal services being advertised and whose identity is disclosed in the
17 advertising communication.

18 (b) As used in this section, "advertising" means any written,
19 electronic or printed communication or any communication by means of
20 recorded telephone messages or transmitted on radio, television, the
21 internet or similar communications media, including film strips, motion
22 pictures and videos, published, disseminated, circulated or placed before
23 the public, directly or indirectly, for the purpose described in subsection
24 (a). Advertising also shall include such communications used for the
25 purpose described in subsection (a), performed by a non-attorney for the
26 agreed purpose of referring the client to the attorney not regularly admitted
27 to practice law in Kansas.

28 (c) The disciplinary administrator of the Kansas supreme court is
29 hereby authorized to:

30 (1) Take disciplinary action against any attorney who violates the
31 provisions of this section; and

32 (2) file a complaint with the appropriate official or agency of any
33 state in which such attorney is licensed.

34 (d) If any provision or provisions of this section or the application
35 thereof to any person or circumstance is held invalid, the invalidity shall
36 not affect other provisions or applications of this section which can be

- 1 given effect without the invalid provision or provisions or application, and
- 2 to this end, the provisions of this section are severable.
- 3 Sec. 2. This act shall take effect and be in force from and after its
- 4 publication in the statute book.