

SENATE BILL 794

D1, C2

7lr2254
CF HB 236

By: **Senator Smith**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Legal Advice to Corporations – Clarification**

3 FOR the purpose of altering an exception to the requirement that an individual be admitted
4 to the Maryland Bar before the individual may practice law in the State by
5 authorizing an individual who is admitted to the bar of any other state to provide
6 legal advice to the individual's employer or the employer's organizational affiliates;
7 and generally relating to the provision of legal advice to employers by individuals
8 not admitted to the Maryland Bar.

9 BY repealing and reenacting, without amendments,
10 Article – Business Occupations and Professions
11 Section 10–206(a)
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2016 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Business Occupations and Professions
16 Section 10–206(d)
17 Annotated Code of Maryland
18 (2010 Replacement Volume and 2016 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Business Occupations and Professions**

22 10–206.

23 (a) Except as otherwise provided by law, before an individual may practice law in
24 the State, the individual shall:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) be admitted to the Bar; and

2 (2) meet any requirement that the Court of Appeals may set by rule.

3 (d) (1) Subject to paragraph (2) of this subsection, this section does not apply
4 to an individual **WHO IS ADMITTED TO THE BAR OF ANY OTHER STATE**, while giving
5 legal advice **TO THE INDIVIDUAL'S EMPLOYER OR THE EMPLOYER'S ORGANIZATIONAL**
6 **AFFILIATES** [to a corporation in this State if the individual is:

7 (i) employed by the corporation; and

8 (ii) admitted to the bar of any other state].

9 (2) An individual who gives legal advice under this subsection:

10 (i) is subject to disciplinary proceedings as the Maryland Rules
11 provide; and

12 (ii) may not appear before a unit of the State government or of a
13 political subdivision unless a court grants the individual a special admission in accordance
14 with § 10-215 of this subtitle.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2017.