

2018 Regular Session

SENATE BILL NO. 112

BY SENATOR GARY SMITH

CIVIL PROCEDURE. Authorizes business entities to assert or defend certain claims on their own behalf. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 37:212(C), relative to the practice of law; to provide definitions
3 and exceptions; to provide relative to the assertion or defense of claims by a legal
4 entity; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:212(C) is hereby amended and reenacted to read as follows:

7 §212. "Practice of law" defined

8 * * *

9 C. Nothing in this Section shall prohibit any partnership, corporation, or other
10 legal entity from asserting or defending any claim, not exceeding ~~five~~ **fifty** thousand
11 dollars, on its own behalf in the courts of limited jurisdiction or on its own behalf
12 through a duly authorized partner, shareholder, officer, employee, or duly authorized
13 agent or representative. No partnership, corporation, or other entity may assert any
14 claim on behalf of another entity or any claim assigned to it.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 112 Engrossed

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Present law defines the "practice of law". Provides that nothing in present law shall prohibit any person from attending to or caring for his own business, claims, or demands. Further provides that any partnership, corporation, or other legal entity can assert or defend any claim, not exceeding \$5,000, on its own behalf in the courts of limited jurisdiction or on its own behalf through a duly authorized partner, shareholder, officer, employee, or duly authorized agent, or representative.

Proposed law changes above amount from \$5,000 to \$50,000 and retains remainder of present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 37:212(C))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Changes \$25,000 to \$50,000.