

HOUSE BILL No. 2397

By Committee on Federal and State Affairs

3-16

1 AN ACT concerning the Kansas consumer protection act; relating to
2 unconscionable acts or practices; attorneys.

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

5 Section 1. (a) A person who is not licensed or otherwise authorized by
6 the Kansas supreme court to practice law in this state shall not do any of
7 the following:

8 (1) Commit any act or omission that is prohibited by the Kansas
9 supreme court, either by court rule or by common law, as being the
10 unauthorized practice of law;

11 (2) hold out to the public or otherwise represent, expressly or by
12 implication, that such person is admitted to practice law in this state;

13 (3) solicit payment or other consideration, whether in cash or in-kind,
14 for services that would constitute the unauthorized practice of law in this
15 state if performed at or about the time of such solicitation; or

16 (4) offer or attempt to do any act prohibited by this subsection.

17 (b) A violation of subsection (a) constitutes an unconscionable act or
18 practice in violation of K.S.A. 50-627, and amendments thereto, whether
19 or not it involves a consumer, a consumer transaction or a supplier, as
20 defined in K.S.A. 50-624, and amendments thereto.

21 (c) For the purposes of this section:

22 (1) "Person" means an individual who, or any corporation, agency,
23 partnership, association or other legal entity that, knowingly aids or abets a
24 person to commit acts or omissions that violate this section;

25 (2) a person described in subsection (a) shall be deemed a supplier
26 within the meaning of K.S.A. 50-624, and amendments thereto; and

27 (3) an individual, sole proprietor, partnership, corporation, limited
28 liability company, the state or a subdivision or agency of the state
29 aggrieved by a violation of subsection (a) shall be deemed a consumer
30 within the meaning of K.S.A. 50-624, and amendments thereto.

31 (d) Any remedies or penalties imposed pursuant to this section shall
32 be in addition to, and not instead of, any remedies or penalties available
33 under the contempt power of any court.

34 (e) This section shall be part of and supplemental to the Kansas
35 consumer protection act.

36 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the Kansas register.