COMMITTEE REPORT

April 26, 2017

**H. 3215**

Introduced by Rep. J.E. Smith

S. Printed 4/26/17--S.

Read the first time March 29, 2017.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3215) to amend the Code of Laws of South Carolina, 1976, by adding Section 16‑17‑770 so as to create the offense of impersonating a lawyer and provide graduated, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking page 1, lines 30-36 in their entirety and inserting the following:

/ (1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both;

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned for not more than three years, or both; and

(3) for a third or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.” /

Renumber sections to conform.

Amend title to conform.

TOM YOUNG, JR. for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑17‑770 SO AS TO CREATE THE OFFENSE OF IMPERSONATING A LAWYER AND PROVIDE GRADUATED PENALTIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 7, Chapter 17, Title 16 of the 1976 Code is amended by adding:

“Section 16‑17‑770. It is unlawful for a person other than a lawyer, who is licensed to practice law in this State or in another state or jurisdiction in the United States and not disbarred or suspended from the practice of law in any state or jurisdiction, to represent to any person that he is a lawyer for the purpose of soliciting business, obtaining anything of value, or providing legal advice or assistance. A person who violates the provisions of this section:

(1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than two years;

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than three years; and

(3) for a third or subsequent offense, is guilty of a felony and, upon conviction, must be imprisoned for not more than five years.”

SECTION 2. This act takes effect upon approval by the Governor.

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