

By: Solis

H.B. No. 3033

A BILL TO BE ENTITLED

AN ACT

relating to licensing of attorneys.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 82.024, Government Code, is amended to read as follows:

Sec. 82.024. LAW STUDY REQUIREMENTS; ELIGIBILITY FOR EXAMINATION. (a) A person who has completed the prescribed study in an approved law school has satisfied the law study requirements for taking the examination for a license to practice law and is eligible to take the bar examination. An approved law school is one that is approved by the supreme court for the time period designated by the court as maintaining the additional standards to retain approval.

(b) The supreme court may not adopt rules regarding the eligibility of an applicant for examination for a license to practice law that prohibit the applicant from taking the examination after failing a specified number of previous examinations.

SECTION 2. Section 82.036, Government Code, is amended to read as follows:

Sec. 82.036. FOREIGN ATTORNEYS. (a) The supreme court shall make such rules and regulations as to admitting attorneys from other jurisdictions to practice law in this state as it shall deem proper and just. All such attorneys shall be required to

1 furnish satisfactory proof as to good moral character.

2 (b) The rules adopted under this section must allow an  
3 attorney licensed to practice law in another jurisdiction to be  
4 admitted to practice law in this state without examination if the  
5 attorney:

6 (1) completed the law study requirements for admission  
7 at an approved law school in this state;

8 (2) has been actively and substantially engaged in the  
9 practice of law in the other jurisdiction for:

10 (A) at least three of the last seven years  
11 immediately preceding the date the attorney filed the application  
12 for a license in Texas, if the attorney has never taken and failed  
13 the Texas bar examination; or

14 (B) at least five of the last seven years  
15 immediately preceding the date the attorney filed the application  
16 for a license in Texas, if the attorney failed the last Texas bar  
17 examination taken by the attorney; and

18 (3) is otherwise eligible for admission to practice  
19 law without examination.

20 SECTION 3. As soon as practicable after the effective date  
21 of this Act, the Texas Supreme Court shall adopt rules to implement  
22 Section 82.036, Government Code, as amended by this Act.

23 SECTION 4. Sections 82.024 and 82.036, Government Code, as  
24 amended by this Act, apply only to a person who files an application  
25 for admission to the State Bar of Texas on or after September 1,  
26 2005.

27 SECTION 5. This Act takes effect September 1, 2005.