

House Bill 759

By: Representatives Willard of the 51st and Morris of the 156th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 19 of Title 15 of the Official Code of Georgia Annotated,
2 relating to the regulation of the practice of law, so as to provide that certain activities by
3 financial institutions shall not constitute the unauthorized practice of law; to provide for
4 related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 3 of Chapter 19 of Title 15 of the Official Code of Georgia Annotated, relating to the
8 regulation of the practice of law, is amended by revising Code Section 15-19-52, relating to
9 lawful acts by certain parties that shall not constitute the unauthorized practice of law, as
10 follows:

11 "15-19-52.

12 Nothing contained in this article shall prevent any corporation, voluntary association, or
13 individual from doing any act or acts set out in Code Section 15-19-50 to which the persons
14 are a party; but, in preparing and filing affidavits in attachments and prosecuting such
15 proceedings, it shall be unlawful for the plaintiffs to act through any agent or employee
16 who is not a duly licensed attorney at law. Moreover, no ~~bank~~ financial institution, as
17 defined by Code Section 7-1-4, whose deposits are federally insured shall be prohibited
18 from giving any advice to its customers in matters incidental to ~~banks or banking~~ providing
19 financial services; nor shall any person, firm, or corporation be prohibited from drawing
20 any legal instrument for another person, firm, or corporation, provided it is done without
21 fee and solely at the solicitation and the request and under the direction of the person, firm,
22 or corporation desiring to execute the instrument. Furthermore, a title insurance company
23 may prepare such papers as it thinks proper or necessary in connection with a title which
24 it proposes to insure, in order, in its opinion, for it to be willing to insure the title, where
25 no charge is made by it for the papers."

26

SECTION 2.

27 All laws and parts of laws in conflict with this Act are repealed.