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HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 348

January 29, 2009

Authored by Lesch

The bill was read for the first time and referred to the Committee on Civil Justice

April 14, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
 1.2 relating to attorneys; modifying and removing provisions limiting the practice
 1.3 of law by deputy sheriffs and coroners; amending Minnesota Statutes 2008,
 1.4 section 387.13.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 387.13, is amended to read:

1.7 **387.13 PROHIBITIONS.**

1.8 No sheriff, or deputy sheriff, ~~or coroner~~ shall appear or practice as an attorney,
 1.9 solicitor, or counselor at law in any court, or draw or fill up any process, pleading, or
 1.10 paper for any party in any action or proceeding, nor, with intent to be employed in the
 1.11 collection of any demand or the service of any process, advise or counsel any person to
 1.12 commence an action or proceeding; ~~nor shall any.~~ This prohibition does not apply to a
 1.13 deputy sheriff who is acting with the approval of the appointing sheriff and whose law
 1.14 enforcement duties have no material nexus with potential legal proceedings for which the
 1.15 deputy sheriff counsels clients. A sheriff ~~be~~ is not eligible to ~~any~~ hold other elective office.
 1.16 A sheriff, or deputy sheriff, ~~or coroner~~ violating ~~any of the provisions of~~ this section is
 1.17 guilty of a petty misdemeanor.