ACTS
PASSED BY
The Legislature
OF THE
STATE OF LOUISIANA
AT THE
SECOND EXTRAORDINARY SESSION
1934
Begun and Held in the City of Baton Rouge
on the Twelfth Day of November
Nineteen Thirty-Four.

Issued by

Secretary of State

BATON ROUGE, LA.
son from exercising the right of suffrage and from holding any office of trust or profit under the laws of this State, reserving to such person the right of appeal on the law and the facts to the Supreme Court.

Section 3. That any person violating the provisions of this Act shall be guilty of a misdemeanor and on conviction shall be fined in a sum not less than One hundred ($100.00) Dollars nor more than One Thousand ($1,000.00) Dollars or imprisoned in the parish jail for not less than thirty days nor more than six months, or both, at the discretion of the Court.

Section 4. That Act 111 of 1934 be and it is hereby repealed and all other laws or parts of laws in conflict herewith be and the same are hereby repealed.

Approved by the Governor: November 21, 1934.

A true copy:

E. A. CONWAY,
Secretary of State.

ACT No. 10.

House Bill No. 10. By Mr. Burke.

AN ACT

To create a public corporation to be known as “The State Bar of Louisiana,” to provide for its organization, government, membership and powers; conferring exclusive authority to provide rules and regulations for, and to prescribe the qualifications of all candidates for admission to the Bar of Louisiana, whether they have studied law in this or any other State, or are graduates of any law or university in any other State, foreign country or territory; providing for examination for admission to the Bar of the State; and to provide for violations of said Act; and repealing all laws, grants, and charters contrary to or in conflict herewith.

Section 1. Be it enacted by the Legislature of Louisiana, That this Act may be known and cited as the State Bar Act.

Section 2. Be it enacted by the Legislature of Louisiana, That there is hereby constituted a public corporation to be known as “The State Bar of Louisiana,” hereinafter designated as the State Bar, which shall have perpetual succession and a seal and may sue and be sued, and which may, for the purpose of carrying into effect and promoting the objects of said corporation, enter into contracts and acquire, hold, encumber, dispose of and deal in and with real and personal property. The term of existence and the powers of said corporation shall be perpetual.

Section 3. That all persons who shall be members of the bar of this State, as may be required by law, or until the expiration of the period of two years from the date of their election to the State Bar, shall be entitled to all the rights and privileges of said Corporation.

Section 4. That all persons who shall not be members of the State Bar shall be deemed to be ineligible to all the rights and privileges of said Corporation.

Section 5. That the President of said Corporation shall be elected by the members of the State Bar, as provided by law, at the annual meeting of the said Corporation, and shall hold office for the term of two years.

Section 6. That the officers of said Corporation shall be elected by the members of the State Bar, as provided by law, at the annual meeting of the said Corporation, and shall hold office for the term of two years.

Section 7. That the officers of said Corporation shall be elected by the members of the State Bar, as provided by law, at the annual meeting of the said Corporation, and shall hold office for the term of two years.

Section 8. That the officers of said Corporation shall be elected by the members of the State Bar, as provided by law, at the annual meeting of the said Corporation, and shall hold office for the term of two years.

Section 9. That the officers of said Corporation shall be elected by the members of the State Bar, as provided by law, at the annual meeting of the said Corporation, and shall hold office for the term of two years.

Section 10. That the officers of said Corporation shall be elected by the members of the State Bar, as provided by law, at the annual meeting of the said Corporation, and shall hold office for the term of two years.

Section 11. That the officers of said Corporation shall be elected by the members of the State Bar, as provided by law, at the annual meeting of the said Corporation, and shall hold office for the term of two years.
said corporation may be changed or terminated at any time by an Act of the Legislature of the State of Louisiana.

Section 3. That the first members of the State Bar shall be all persons now entitled to practice law in this State.

Section 4. That the members of the State Bar shall be divided into two classes, namely, active members and inactive members.

Section 5. That every person licensed to practice law in this State shall be deemed an active member until at his request he shall be enrolled as an inactive member.

Section 6. That after the organization of the State Bar, as herein provided, all persons who are admitted to practice in accordance with the laws of this State shall become, by that fact, members of the State Bar.

Section 7. That active members who shall, after the taking effect of this Act, retire from practice, shall be enrolled as inactive members at their request. Inactive members shall not be entitled to hold office or vote. They may, on application and payment of all registration fees required, become active members. Inactive members shall have such other privileges, not inconsistent with this Act, as the Board of Governors may provide.

Section 8. That there is hereby constituted a Board of Governors of the State Bar, which shall consist of one (1) member elected by the people from each Congressional District of the State of Louisiana, who shall hold office for the period of two years; said election of members of the Board of Governors of the State Bar from the Congressional Districts of Louisiana to be had at every regular Congressional Election in this State, with regular party selections at the regular party primary elections, as now provided by law; that membership of the Board of Governors of the State Bar is, hereby and herewith, declared to be a public office.

Section 9. That the officers of the State Bar shall be a president, three (3) vice presidents, a secretary and treasurer.

Section 10. That the president and vice presidents shall be elected by the Board of Governors from among their members at the time of the organization meeting of the State Bar, as herein provided, and thereafter at the time of the annual meeting. The newly elected president and vice presidents shall assume the duties of their respective offices at the conclusion of the annual meeting at which they are elected.

Section 11. That upon this Act becoming effective the eight (8) members of the first Board of Governors shall be appointed by the Governor of the State of Louisiana, by and with the advice and consent of the Senate, from among those qualified for active membership in the State Bar,
one from each of the eight (8) Congressional Districts of the State, to serve until their successors are elected by the people, as hereinabove provided.

Section 12. That the eight (8) members of the Board of Governors so appointed shall constitute a commission to place this Act in operation and to organize the State Bar, and to adopt such rules and regulations for the time being as it may deem necessary to complete the organization thereof, and shall call the organization meeting and generally give effect to this Act.

Section 13. That the declaration of intention of becoming a candidate in the primary election for membership of the Board of Governors shall have the affidavit of the candidate therein disclosing the names of private corporations, if any, for which the said candidate has been attorney, with emoluments received, for a period of five (5) years previous to date of said declaration of intention.

Section 14. That vacancies in the Board of Governors shall be filled by the Governor of the State, by and with the advice and consent of the Senate.

Section 15. That it shall be the duty of the president to preside at all meetings of the State Bar and of the Board of Governors, and in the event of his absence or inability to act, one of the vice presidents shall preside. Other duties of the president, vice presidents, and the duties of the secretary and the treasurer shall be such as the Board of Governors may prescribe.

Section 16. That the secretary and the treasurer shall be selected annually by the Board of Governors and need not be members of the State Bar.

Section 17. That the officers of the State Bar shall continue in office until their successors are elected and qualify.

Section 18. That the State Bar shall be governed by the Board of Governors, which shall have the powers and duties in this Act conferred.

Section 19. That the Board shall be charged with the executive functions of the State Bar and the enforcement of the provisions of this Act.

Section 20. That the Board shall have power to appoint such committees, officers, and employees as it may deem necessary or proper, and fix and pay salaries and necessary expenses.

Section 21. That the Board shall have power to aid in the advance of the science of jurisprudence and in the improvement of the administration of justice.

Section 22. That the Board shall have power to formulate rules of professional conduct for all members of the Bar in the State.
Section 23. That, subject to the laws of this State, the Board shall have power to formulate and declare rules and regulations necessary or expedient for the carrying out of this Act, and shall by rule fix the time and place of the annual meeting of the State Bar, the manner of calling special meetings thereof and determine what number shall constitute a quorum of the State Bar.

Section 24. That the Board shall have power to make disbursements from the funds of the State Bar, to pay the salary of the secretary, treasurer, and other employees necessary, and to pay all necessary expenses for effectuating the purposes of this act, but no member of the Board shall receive any other compensation than his necessary expenses connected with the performance of his duties as a member of the Board.

Section 25. That it shall be the duty of the Board of Governors, and it shall have the power, to receive and investigate complaints as to the conduct of members, make findings and recommendations, in their discretion, to the legally constituted disbarment authorities.

Section 26. That any person complained against, as herein provided, shall be given reasonable notice and have a reasonable opportunity and right to defend against the charge by the introduction of evidence, and the right to be represented by counsel, and to examine and cross-examine witnesses. He shall also have the right to the issuance of subpoenas for attendance of witnesses to appear and testify or produce books and papers, as above provided.

Section 27. That a record of all hearings shall be made and preserved by the Board or committee.

Section 28. That the Board of Governors, subject to the provisions of this Act, may by rule, provide the mode of procedure in all cases of complaints against members; that said Board of Governors shall have no authority to disbar, but shall have the authority to prefer charges of disbarment to authorities under the law as now provided, or to be provided.

Section 29. That the Board of Governors of the State Bar of Louisiana be and it is hereby vested with the exclusive authority to prescribe rules and qualifications for admission to the Bar in Louisiana and to prescribe the qualifications of all candidates for such admission, including those candidates who are or have been students or practitioners of law in other States, territories or foreign countries, or graduates of any law school, college or university of any other State, territory or foreign country.

Section 30. That every applicant for admission to the Bar of this State, whether holding a diploma from a law school or not, before being licensed to practice law shall be
required to pass a satisfactory examination before the Board of Governors of the State Bar of Louisiana, on such subjects and under such rules and regulations to be prescribed by the Board of Governors of the State Bar of Louisiana; provided that applicants for admission to the Bar who have not received a diploma from an approved law school, be required to prove a course of study under the supervision of a reputable, Louisiana lawyer for a period of not less than three years; provided further that the Board of Governors of the State Bar of Louisiana shall not prescribe a higher general educational qualification than a high school course or the equivalent thereof.

Section 31. That the organization meeting of the State Bar shall be held in the City of Baton Rouge within thirty (30) days after the taking effect of this Act. Thereafter there shall be an annual meeting at a time and place to be designated by the Board of Governors.

Section 32. That at the annual meeting reports of the proceedings by the Board of Governors since the last annual meeting, reports of other officers and committees and recommendations of the Board of Governors shall be received. Matters of interest pertaining to the State Bar and the administration of justice may be considered and acted upon.

Section 33. That special meetings of the State Bar may be held at such times and places as shall be provided by the Board of Governors.

Section 34. That the annual membership fee for active members shall be the sum of three ($3.00) dollars, payable on or before February first of each year; provided, however, the Board of Governors shall have power to increase such fee to a sum not exceeding Five ($5.00) Dollars.

Section 35. That upon the payment of such fees each member shall receive a certificate issued under the direction of the Board of Governors evidencing such payment.

Section 36. That the annual membership fee for inactive members shall be the sum of Two ($2.00) Dollars, payable on or before the first day of February of each year.

Section 37. That any member, active or inactive, failing to pay any fees after the same become due, and after two months written notice of his delinquency, must be suspended from membership in the State Bar, but shall be reinstated upon the payment of accrued fees and such penalties as may be imposed by the Board of Governors, not exceeding double the amount of delinquent dues. All fees shall be paid into the treasury of the State Bar, and, when so paid, shall become part of its funds.

Section 38. That a person shall be suspended from the practice of law in this State unless he shall be an active member of the State Bar; and such suspension shall only be made for good cause shown and shall be imposed only by a court of competent jurisdiction.

Section 39. That the membership of the State Bar may be, at any time, increased or decreased within the bounds hereby provided for.

Section 40. That every member of the State Bar shall, upon conviction, be subject to the penalties provided by law, nor more than Five hundred ($500.00) Dollars, and in default of payment, to be imprisoned in the State penitentiary for a term not exceeding two years.

Section 41. That any and all of the sections or parts thereof hereunder established not constitutional, shall remain in force and effect, unless declared unconstitutional by the Supreme Court of the United States, unless the remaining parts thereof shall be declared unconstitutional.

Section 42. That all of the provisions of this act are hereby declared to be necessary and essential and are hereby made severable.

A true copy:

E. A. CONWAY,
Secretary of State.

House Bill No. 11.

To amend and re-enact Acts 13 and 30 of the Louisiana Legislature, Extraordinary, to regulate the traffic in and possession of intoxicating liquors, and, as incidental to the exercise of legislative functions, to provide for the raising of revenue necessary to the support of the State and its said functions.
member of the State Bar of Louisiana, and cause for suspension shall only be for refusal or failure to pay the fees herein provided for.

Section 30. That it shall be the duty of the Board of Governors annually to have prepared a statement showing the total amount of receipts and expenditures of the State Bar for the twelve (12) months preceding. Such statement shall be promptly certified under oath by the president and treasurer to the Treasurer of the State of Louisiana.

Section 40. That any person, not being an active member of the State Bar, or while suspended from membership in the State Bar, as by this act provided, shall practice law, shall be guilty of a misdemeanor, and shall upon conviction, be fined not less than Fifty ($50.00) Dollars, nor more than Two Hundred ($200.00) Dollars, or if in default of payment of fine, be imprisoned in the parish jail not exceeding thirty (30) days.

Section 41. That if any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more other sections, subsections, clauses or phrases be declared unconstitutional.

Section 42. That all laws and parts of laws, grants and charters, contrary to or in conflict herewith be and the same are hereby repealed and rescinded.

Approved by the Governor: November 21, 1934.

A true copy:

E. A. CONWAY,
Secretary of State.

ACT No. 11.

House Bill No. 11.

AN ACT

To amend and re-enact the title and Sections 1, 3, 4, 9, 10, 13 and 30 of Act 15 of the Regular Session of the Louisiana Legislature of 1934, as amended by Act 3 of the Extraordinary Session of 1934, entitled, "An Act to regulate the traffic in malt, vinous, spirituous, alcoholic or intoxicating liquors, containing more than six (6%) per cent of alcohol by volume as defined in this Act, and, as incidental to such regulation, to provide additional revenue for the State of Louisiana by the levying