

January 23, 1974

OPINION LETTER NO. 103



Honorable Phil H. Snowden
State Representative, 20th District
c/o House Post Office
State Capitol Building
Jefferson City, Missouri 65101

Dear Representative Snowden:

This letter is in answer to your question asking:

"If a legislator is a sole proprietor in the practice of law and shares office space, secretaries and other expenses with other attorneys is the legislator in violation of Article III Section 12 of the Missouri Constitution, any other section of the Constitution or Statutes of the State of Missouri; if one or more of the other attorneys holds a lucrative office or employment or performs legal services for the United States, this state or any municipality or any subdivision thereof?"

In our Opinion No. 295, dated December 19, 1973, to Bradshaw, copy enclosed, we reiterated and summarized our views respecting violations of Section 12 of Article III of the Missouri Constitution when the legislator's partners, associates or lawyers or firm employees are involved in such employment.

It is our view, however, that the situation you present is clearly distinguishable. Where the legislator is a sole proprietor in the practice the mere fact that other attorneys with whom

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he shares office space and the like may be employed by the United States, this state, or any municipality or any subdivision thereof, does not put the legislator in violation of such constitutional provision.

Very truly yours,

JOHN C. DANFORTH
Attorney General

Enclosure: Op. Ltr. No. 295
12-19-73, Bradshaw