

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1424

By: Burrage

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5  
6 AS INTRODUCED

7 An Act relating to professions and occupations and  
8 the State Architectural and Interior Designers Act;  
9 amending 59 O.S. 2001, Section 46.7, as last amended  
10 by Section 4, Chapter 193, O.S.L. 2006 (59 O.S. Supp.  
11 2007, Section 46.7), which relates to powers and  
12 duties of the Board of Governors of the Licensed  
13 Architects, Landscape Architects and Interior  
14 Designers of Oklahoma; providing authority for  
15 continuing education for interior designers; and  
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 59 O.S. 2001, Section 46.7, as  
19 last amended by Section 4, Chapter 193, O.S.L. 2006 (59 O.S. Supp.  
20 2007, Section 46.7), is amended to read as follows:

21 Section 46.7 In addition to the other powers and duties imposed  
22 by law, the Board shall have the power and duty to:

23 1. Prescribe such rules and to make such orders, as it may deem  
24 necessary or expedient in the performance of its duties;

2. Prepare, conduct, and grade examinations of persons who  
shall apply for the issuance of licenses to them, and to promulgate  
such rules with reference thereto as it may deem proper;

1           3. Contract with nationally recognized registration  
2 organizations to prepare, conduct, and grade examinations, written  
3 or oral, of persons who shall apply for the issuance of licenses;

4           4. Determine the satisfactory passing score on such  
5 examinations and issue licenses to persons who shall have passed  
6 examinations, or who shall otherwise be entitled thereto;

7           5. Determine eligibility for licenses and certificates of  
8 authority;

9           6. Determine eligibility for registration as an interior  
10 designer and for certificate of title;

11          7. Promulgate rules to govern the issuing of reciprocal  
12 licenses and registrations;

13          8. Upon good cause shown, as hereinafter provided, deny the  
14 issuance of a license, registration, certificate of authority or  
15 certificate of title or suspend, revoke or refuse to renew licenses  
16 or certificates of authority previously issued, and upon proper  
17 showing, to reinstate them;

18          9. Review, affirm, reverse, vacate or modify its order with  
19 respect to any such denial, suspension, revocation or refusal to  
20 renew;

21          10. Prescribe rules governing proceedings for the denial of  
22 issuance of a license, registration, certificate of authority or  
23 certificate of title, suspension, revocation or refusal to renew,  
24 for cause, of licenses, registrations, certificates of authority or

1 certificates of title heretofore issued and the reinstatement  
2 thereof;

3 11. Prescribe such penalties, as it may deem proper, to be  
4 assessed against holders of licenses, registrations, certificates of  
5 authority or certificates of title for the failure to pay the  
6 biennial fee hereinafter provided for;

7 12. Levy civil penalties plus the legal costs incurred by the  
8 Board to prosecute the case against any person or entity who shall  
9 violate any of the provisions of the State Architectural and  
10 Interior Designers Act or any rule promulgated thereto;

11 13. Obtain an office, secure such facilities, and employ,  
12 direct, discharge and define the duties and set the salaries of such  
13 office personnel and set the salaries of such unclassified and  
14 exempt office personnel as deemed necessary by the Board;

15 14. Initiate disciplinary action, prosecute and seek  
16 injunctions against any person or entity who has violated any of the  
17 provisions of the State Architectural and Interior Designers Act or  
18 any rule of the Board promulgated pursuant to said act and against  
19 the owner/developer of the building type not exempt;

20 15. Investigate alleged violations of the State Architectural  
21 and Interior Designers Act or of the rules, orders or final  
22 decisions of the Board;

23 16. Promulgate rules of conduct governing the practice of  
24 licensed architects and landscape architects;

1 17. Keep accurate and complete records of proceedings, and  
2 certify the same as may be appropriate;

3 18. Whenever it deems it appropriate, confer with the Attorney  
4 General or the Attorney General's assistants in connection with all  
5 legal matters and questions. The Board may also retain an attorney  
6 who is licensed to practice law in this state. The attorney shall  
7 serve at the pleasure of the Board for such compensation as may be  
8 provided by the Board. The attorney shall advise the Board and  
9 perform legal services for the Board with respect to any matters  
10 properly before the Board. In addition to the above, the Board may  
11 employ hearing examiners to conduct administrative hearings under  
12 the provisions of the Administrative Procedures Act;

13 19. Prescribe by rules, fees to be charged as required by this  
14 act;

15 20. Adopt rules providing for a program of continuing education  
16 in order to insure that all licensed architects, ~~or~~ landscape  
17 architects or registered interior designers remain informed of those  
18 technical and professional subjects which the Board deems  
19 appropriate to professional architect, ~~or~~ landscape architect or  
20 interior design practice. The Board may by rule describe the  
21 methods by which the requirements of such program may be satisfied.  
22 Failure to meet such requirements of continuing education shall  
23 result in nonrenewal of the license or registration issued to the  
24 architect, ~~or~~ landscape architect or interior designer;

1        21. Adopt rules regarding requirements for intern development  
2 as a prerequisite for licensure; and

3        22. Take such other action as may be reasonably necessary or  
4 appropriate to effectuate the State Architectural and Interior  
5 Designers Act.

6        SECTION 2. This act shall become effective November 1, 2008.

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