

CS for SB 592

1 THE STATE SENATE
2 Monday, February 23, 2009

3 Committee Substitute for
4 Senate Bill No. 592

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 592 - By: Ford of the
6 Senate and Sears of the House.

7 [professions and occupations - State Architectural and
8 Interior Designers Act - effective date]

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

10 SECTION 1. AMENDATORY 59 O.S. 2001, Section 46.3, as
11 last amended by Section 2, Chapter 193, O.S.L. 2006 (59 O.S. Supp.
12 2008, Section 46.3), is amended to read as follows:

13 Section 46.3 As used in the State Architectural and Interior
14 Designers Act:

15 1. "Architect" means any person who is licensed and engages in
16 the practice of architecture as hereinafter defined;

17 2. "Practice of architecture" means rendering or offering to
18 render certain services, in connection with the design and
19 construction, enlargement or alteration of a building or a group of
20 buildings and the space surrounding such buildings, including
21 buildings which have as their principal purpose human occupancy or
22 habitation; the services referred to include planning, providing
23 preliminary studies, designs, drawings, specifications and other
24 technical submissions, the administration of construction contracts,

1 and the coordination of any elements of technical submissions
2 prepared by others including, as appropriate and without limitation,
3 consulting engineers and landscape architects; provided, that the
4 practice of architecture shall include such other professional
5 services as may be necessary for the rendering of or offering to
6 render architectural services;

7 3. "Registration or license" means a certificate of
8 registration or license issued by the Board. The definition of
9 "license" shall apply to those persons licensed under a practice
10 act. The definition of "registration" shall apply to those persons
11 registered under a title act;

12 4. "Building" means a structure consisting of a foundation,
13 walls, all floors and roof, with or without other parts;

14 5. "Board" means the Board of Governors of the Licensed
15 Architects, Landscape Architects and Interior Designers of Oklahoma;

16 6. "Certificate of authority" means the authorization granted
17 by the Board for persons to practice or offer to practice
18 architecture or landscape architecture through a partnership, firm,
19 association, corporation, limited liability company or limited
20 liability partnership;

21 7. "Certificate of title" means the authorization granted by
22 the Board for a partnership, firm, association, corporation, limited
23 liability company or limited liability partnership to use the title

1 "interior design" or "interior designer" or any modification or
2 derivation of these terms;

3 8. "Technical submissions" means designs, drawings,
4 specifications, studies and other technical reports prepared in the
5 course of practicing architecture or landscape architecture;

6 9. "Responsible control" means the amount of control and
7 detailed knowledge of the content of technical submissions during
8 their preparation as is ordinarily exercised by licensed architects
9 or landscape architects applying the required professional standard
10 of care;

11 10. "Landscape architect" means a person licensed to practice
12 landscape architecture as provided in the State Architectural and
13 Interior Designers Act;

14 11. "Landscape architecture" means the performance of
15 professional services defined as teaching, consultations,
16 investigations, reconnaissance, research, planning, design,
17 preparation of construction drawings and specifications, and
18 construction observation in connection with the planning and
19 arranging of land and the elements thereon for public and private
20 use and enjoyment, including the design and layout of roadways,
21 service areas, parking areas, walkways, steps, ramps, pools, the
22 location and siting of improvements including buildings and other
23 structures, and the grading of the land, surface and subsoil

1 drainage, erosion control, planting, reforestation, and the
2 preservation of the natural landscape, in accordance with accepted
3 professional standards, and to the extent that the dominant purpose
4 of such services or creative works is the preservation,
5 conservation, enhancement, or determination of proper land uses,
6 natural land features, ground cover and plantings, or naturalistic
7 and aesthetic values.

8 The practice of landscape architecture shall include the
9 location and arrangement of tangible objects and features as are
10 incidental and necessary to the purpose outlined for landscape
11 architecture. The practice of landscape architecture shall not
12 include the design of structures or facilities with separate and
13 self-contained purposes for habitation or industry, or the design of
14 public streets, highways, utilities, storm and sanitary sewers and
15 sewage treatment facilities, that are statutorily defined as the
16 practice of engineering or architecture;

17 12. "Code" means the nationally recognized building code
18 adopted by the local, municipal, or county jurisdiction in which a
19 building is located. Where no building code has been adopted by the
20 local, municipal or county jurisdiction, all buildings shall meet
21 the requirements of the state building code as adopted by the Office
22 of the State Fire Marshal;

1 13. "Applicable building official" means the official
2 responsible for the application of the adopted building code as
3 implemented by the local, municipal or county jurisdiction in which
4 a building is located. Where no building code has been adopted by
5 the local, municipal or county jurisdiction, the applicable building
6 official shall be defined as the State Fire Marshal; and

7 14. "~~Interior~~ Registered interior designer" means a person
8 recognized by this state who is registered, qualified by education,
9 experience and examination and meeting all the requirements set
10 forth in the State Architectural and Interior Designers Act for
11 interior designers.

12 SECTION 2. This act shall become effective November 1, 2009.

13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-18-09 - DO
14 PASS, As Amended and Coauthored.