

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1724

By: Ford

4
5
6 AS INTRODUCED

7 An Act relating to the State Architectural and
8 Registered Interior Designers Act; amending 59 O.S.
9 2011, Sections 46.1, 46.2, 46.3, 46.4, 46.6, 46.7,
10 46.8a, 46.9, 46.10, 46.11, 46.12, 46.14, 46.15,
11 46.17, 46.18, 46.19, 46.20, 46.21, 46.21b, 46.24,
12 46.26, 46.27, 46.28, 46.29, 46.30, 46.31, 46.32,
13 46.33, 46.34, 46.35, 46.36, 46.38, 46.39, 46.40 and
14 46.41, which relate to the State Architectural and
15 Registered Interior Designers Act; modifying
16 definitions, modifying language, deleting language;
17 changing sunset provision date; adding duties to
18 Board; providing for equivalent standards and
19 training exception; modifying authority to suspend
20 license; increasing certain civil penalty; providing
21 procedures to sign and seal technical submissions;
22 deleting certain nonresident provisions; setting
23 procedure for design competitions; clarifying certain
24 Code Use Groups; providing certain exception for Code
Use Groups; modifying qualifications for licensure;
clarifying landscape architecture incidental project;
modifying authority to license; authorizing computer
examinations for license; modifying authority for
temporary license; prohibiting competitive bid for
certain persons; changing name of certain
professional accreditation authority; granting
authority for temporary interior designer license;
modifying criminal violation provision; providing an
effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 59 O.S. 2011, Section 46.1, is
2 amended to read as follows:

3 Section 46.1. ~~This act~~ Section 46.1 et seq. of this title shall
4 be known and may be cited as the "State Architectural and Registered
5 Interior Designers Act".

6 SECTION 2. AMENDATORY 59 O.S. 2011, Section 46.2, is
7 amended to read as follows:

8 Section 46.2. In order to safeguard life, health and property
9 and to promote the public welfare, the professions of architecture
10 ~~or~~ and landscape architecture are declared to be subject to
11 regulation in the public interest. It is unlawful for any person to
12 practice or offer to practice architecture or landscape architecture
13 in this state, as defined in the provisions of Section 46.1 et seq.
14 of this title, use in connection with the person's name, or
15 otherwise assume the title of architect, landscape architect or
16 registered interior designer, or advertise any title or description
17 tending to convey the impression that the person is a licensed
18 architect or landscape architect or is a registered interior
19 designer unless the person is duly licensed or exempt from licensure
20 or registration under the State Architectural and Registered
21 Interior Designers Act. The practice of architecture and landscape
22 architecture and the use of the titles, architect, landscape
23 architect or registered interior designer, are privileges granted by
24 the state through the Board of Governors of the Licensed Architects,

1 Landscape Architects and Registered Interior Designers of Oklahoma
2 based upon the qualifications of the individual as evidenced by a
3 certificate of licensure or registration which shall not be
4 transferable.

5 SECTION 3. AMENDATORY 59 O.S. 2011, Section 46.3, is
6 amended to read as follows:

7 Section 46.3. As used in the State Architectural and Registered
8 Interior Designers Act:

9 1. "Architect" means any person who is licensed ~~and engages~~ in
10 the practice of architecture in the State of Oklahoma as hereinafter
11 defined;

12 2. "Practice of architecture" means rendering or offering to
13 render certain services, in connection with the design and
14 construction, enlargement or alteration of a building or a group of
15 buildings and the space surrounding such buildings, including
16 buildings which have as their principal purpose human occupancy or
17 habitation; the services referred to include planning, providing
18 preliminary studies, designs, drawings, specifications, investigations, reconnaissance and other technical submissions, the
19 administration of construction contracts, and the coordination of
20 any elements of technical submissions prepared by others licensed
21 consultants including, as appropriate and without limitation,
22 consulting engineers and landscape architects; provided, that the
23 practice of architecture shall include such other professional
24

1 services as may be necessary for the rendering of or offering to
2 render architectural services;

3 3. "Registration or license" means a certificate of
4 registration or license issued by the Board. The definition of
5 "license" shall apply to those persons licensed under a practice
6 act. The definition of "registration" shall apply to those persons
7 registered ~~under a title~~ as a Registered Interior Designer under
8 this act;

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

11 5. "Board" means the Board of Governors of the Licensed
12 Architects, Landscape Architects and Registered Interior Designers
13 of Oklahoma;

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

19 7. "Certificate of title" means the authorization granted by
20 the Board for a partnership, firm, association, corporation, limited
21 liability company or limited liability partnership to use the title
22 "registered interior designer" or any modification or derivation of
23 these terms;

24

1 8. "Technical submissions" means ~~designs, drawings, plans,~~
2 specifications, studies and any other technical reports prepared in
3 the course of practicing architecture or landscape architecture
4 technical reports or documents which are issued in the course of
5 practicing architecture or landscape architecture with the intent
6 that they be considered as formal or final documents but shall not
7 include record drawings. Prototypical plans are not technical
8 submissions;

9 9. "Responsible control" means the amount of direct control and
10 personal supervision of architectural, landscape architectural or
11 registered interior designer's work and detailed knowledge of the
12 content of tactical and technical submissions during their
13 preparation as is ordinarily exercised by licensed architects or
14 landscape architects applying the required professional standard of
15 care. Direct control and personal supervision terms, whether used
16 separately or together mean active and personal management of the
17 firm's personnel and practice to maintain charge of, and concurrent
18 direction over, architecture, landscape architecture or the work of
19 a registered interior designer's decisions and the instruments of
20 professional services to which the licensee or registrant affixes
21 the seal, signature, and date;

22 10. "Landscape architect" means a person licensed to practice
23 landscape architecture as provided in the State Architectural and
24 Registered Interior Designers Act;

1 11. "Landscape architecture" means the performance of
2 professional services defined as teaching, consultations,
3 investigations, reconnaissance, research, planning, design,
4 preparation of construction drawings and specifications, and
5 construction observation and the coordination of any elements of
6 technical submissions prepared by others in connection with the
7 planning and arranging of land and the elements thereon for public
8 and private use and enjoyment, including the design and layout of
9 roadways, service areas, parking areas, walkways, steps, ramps,
10 pools, parks, parkways, trails and recreation, the location and
11 siting of improvements including buildings and other structures, and
12 the grading of the land, surface and subsoil drainage, erosion
13 control, planting, reforestation, and the preservation of the
14 natural landscape, in accordance with accepted professional
15 standards, and to the extent that the dominant purpose of such
16 services or creative works is the preservation, conservation,
17 enhancement, or determination of proper land uses, natural land
18 features, ground cover and plantings, or naturalistic and aesthetic
19 values.

20 The practice of landscape architecture shall include the
21 location and arrangement of tangible objects and features as are
22 incidental and necessary to the purpose outlined for landscape
23 architecture. The practice of landscape architecture shall not
24 include the design of structures or facilities with separate and

1 self-contained purposes for habitation or industry, or the design of
2 public streets, highways, utilities, storm and sanitary sewers and
3 sewage treatment facilities, that are statutorily defined as the
4 practice of engineering or architecture;

5 12. "Code" means the nationally recognized ~~building code codes~~
6 adopted by the ~~local, municipal, or county jurisdiction in which a~~
7 ~~building is located. Where no building code has been adopted by the~~
8 ~~local, municipal or county jurisdiction, all buildings shall meet~~
9 ~~the requirements of the state building code as adopted by the Office~~
10 ~~of the State Fire Marshal~~ Uniform Building Code Commission of the
11 State of Oklahoma;

12 13. ~~"Applicable building official" means the official~~
13 ~~responsible for the application of the adopted building code as~~
14 ~~implemented by the local, municipal or county jurisdiction in which~~
15 ~~a building is located. Where no building code has been adopted by~~
16 ~~the local, municipal or county jurisdiction, the applicable building~~
17 ~~official shall be defined as the State Fire Marshal; and~~

18 14. "Registered interior designer" means a person recognized by
19 this state who is registered, qualified by education, experience and
20 examination and meeting all the requirements set forth in the State
21 Architectural and Registered Interior Designers Act and the Board's
22 rules;

23 14. "Plans" means technical documents issued by the licensed
24 and/or registered professionals intended to meet all current and

1 applicable codes as adopted by the Uniform Building code Commission
2 of the State of Oklahoma, other statutory codes and applicable
3 federal codes and which shall be submitted to all required building
4 code and/or permit offices required by the State of Oklahoma,
5 county, municipal and/or federal government; and

6 15. "Equivalent standards" means those standards adopted by the
7 Board intended to be used as alternative equivalents to determine
8 competency for education, training and testing for licensing
9 architects and/or landscape architects and registering interior
10 designers and for complying with Section 4100.1 et seq. of this
11 title for military personnel and their spouses.

12 The definitions in the State Architectural and Registered
13 Interior Designers Act shall have the same meaning when applicable
14 to any rule promulgated pursuant to such act.

15 SECTION 4. AMENDATORY 59 O.S. 2011, Section 46.4, is
16 amended to read as follows:

17 Section 46.4. There is hereby re-created, to continue until
18 July 1, ~~2014~~ 2018, in accordance with the provisions of the Oklahoma
19 Sunset Law, a board to be known as the "Board of Governors of the
20 Licensed Architects, Landscape Architects and Registered Interior
21 Designers of Oklahoma", hereinafter referred to as the Board. The
22 Board shall be composed of eleven (11) members, including seven
23 persons who have been duly licensed to practice architecture and are
24 actively engaged in the practice of architecture and in good

1 ~~standing in this state or are teaching professors of architecture~~
2 ~~and duly licensed to practice architecture in this state, two~~
3 ~~persons who have been duly licensed to practice landscape~~
4 ~~architecture, are in good standing~~ and are actively engaged in the
5 practice of landscape architecture in this state ~~or are teaching~~
6 ~~professors of landscape architecture and duly licensed to practice~~
7 ~~landscape architecture in this state, one person as a registered~~
8 interior designer ~~after the initial appointment and any new~~
9 ~~appointees thereafter shall be a registered interior designer and~~
10 ~~either actively engaged as a registered interior designer in this~~
11 ~~state or is a registered teaching professor of interior design, and~~
12 ~~is active and in good standing~~ and one lay member. Each member of
13 the Board shall be a qualified elector of this state, and the
14 architect, ~~and~~ landscape architect and registered interior designer
15 members shall have had five (5) years' licensing and/or registration
16 ~~experience in the application or the study of the principles of~~
17 ~~their respective profession after initial licensure~~ in this state.
18 ~~The registered interior designer shall have five (5) years'~~
19 ~~experience in the application or the study of the principles of~~
20 ~~interior design, met the requirements of Section 46.38 of this title~~
21 ~~and become registered. After July 1, 2012, the registered interior~~
22 ~~designer member of the Board shall have five (5) years of being~~
23 ~~registered by the Board and shall have met the requirements of~~
24 ~~Section 46.38 of this title.~~ Re-creation of the Board shall not

1 alter existing staggered terms. Board members, other than the lay
2 member, shall be appointed for a period of five (5) years
3 thereafter; provided that nothing herein shall affect the tenure of
4 office of anyone who is a member of the Board on the effective date
5 of this act. A member may be reappointed to succeed such
6 membership. The licensed ~~persons engaged in the practice of~~
7 ~~architecture or landscape architecture~~ architect, landscape
8 architect or the registered interior designer, ~~or the persons who~~
9 ~~are licensed teaching professors of architecture, landscape~~
10 ~~architecture or registered and teaching interior design,~~ may be
11 appointed by the Governor from a list of nominees submitted by
12 respective professional societies of this state. Membership in a
13 professional society shall not be a prerequisite to appointment to
14 the Board. The lay member of the Board shall be appointed by the
15 Governor to a term coterminous with that of the Governor. The lay
16 member shall serve at the pleasure of the Governor. Provided, the
17 lay member may continue to serve after the expiration of the term of
18 the member until such time as a successor is appointed. Vacancies
19 which may occur in the membership of the Board shall be filled by
20 appointment by the Governor. Each person who has been appointed to
21 fill a vacancy shall serve for the remainder of the term for which
22 the member the person shall succeed was appointed and until a
23 successor, in turn, has been appointed and shall have qualified.
24 Each member of the Board, before entering upon the discharge of the

1 duties of the member, shall make and file with the Secretary of
2 State a written oath or affirmation for the faithful discharge of
3 official duties. Each member of the Board and staff shall be
4 reimbursed for travel expenses pursuant to the State Travel
5 Reimbursement Act.

6 SECTION 5. AMENDATORY 59 O.S. 2011, Section 46.6, is
7 amended to read as follows:

8 Section 46.6. The Board shall hold regular meetings with the
9 dates, times and ~~place~~ places to be fixed by the Board. The Board
10 shall hold a regular meeting in June of each year, which meeting
11 shall be the annual meeting, at which time it shall elect its
12 officers for the next fiscal year and conduct all other business
13 required under this act. At the regular meeting of the Board herein
14 in June of each year, the Board shall elect from its membership a
15 chair, a vice-chair, and a secretary-treasurer, each of whom shall
16 serve until such officer's respective successor shall have been
17 elected and shall have qualified. The position of the secretary-
18 treasurer shall not count against the agency's full-time-equivalent
19 limits authorized by the Legislature. The chair shall preside at
20 all meetings of the Board and shall perform such other duties as the
21 Board may prescribe. The secretary-treasurer shall receive a
22 monthly salary to be fixed by the Board and shall be reimbursed
23 pursuant to the State Travel Reimbursement Act for travel and other
24 expenses which shall have been incurred while in the performance of

1 the duties of this office. Six Board members shall constitute a
2 quorum for the transaction of business.

3 SECTION 6. AMENDATORY 59 O.S. 2011, Section 46.7, is
4 amended to read as follows:

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

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

9 2. Prepare, conduct, and grade examinations of persons who
10 shall apply for the issuance of licenses and registrations to them,
11 and to promulgate such rules with reference thereto as it may deem
12 proper as a portion used to determine competency for the issuance of
13 licenses or registrations;

14 3. ~~Contract~~ Work with nationally recognized licensing and
15 registration organizations to prepare, conduct, and grade
16 examinations, written or oral, of persons who shall apply for the
17 issuance of licenses or registrations;

18 4. Require all current and future licensees and registrants to
19 take and pass a finger print criminal history background check
20 pursuant to Section 150.9 of Title 74 of the Oklahoma Statutes.
21 Failure to take or pass the finger print criminal history background
22 check will result in the Board investigating the information and
23 determining, in its sole discretion, whether or not the license,
24 registration, certificate of authority or certificate of title is to

1 be issued, renewed, reinstated, denied or revoked. The entity shall
2 replace the individual in direct control within thirty (30) days to
3 a qualified person or persons in order to continue a current and
4 active status in good standing. Whatever you want to do.

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

9 ~~5.~~ 6. Determine eligibility for licenses and certificates of
10 authority;

11 ~~6.~~ 7. Determine eligibility for registration as a registered
12 interior designer and for certificate of title;

13 ~~7.~~ 8. Promulgate rules to govern the issuing of reciprocal
14 licenses and registrations;

15 ~~8.~~ 9. Upon good cause shown, as hereinafter provided, deny the
16 issuance of a license, registration, certificate of authority or
17 certificate of title or suspend, revoke, ~~or~~ refuse to renew, put on
18 probation and/or require additional education course work and
19 determine when the objectives have been met for licenses,
20 registrations, certificates of title or certificates of authority
21 previously issued, and upon proper showing, to reinstate or
22 conditionally reinstate or issue them;

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1 ~~9.~~ 10. Review, affirm, reverse, vacate or modify its order with
2 respect to any such denial, suspension, revocation, probation and/or
3 education course work or refusal to renew;

4 ~~10.~~ 11. Prescribe rules governing proceedings for the denial of
5 issuance of a license, registration, certificate of authority or
6 certificate of title, suspension, revocation or refusal to renew,
7 probation or require additional education course work and determine
8 when the objectives have been met for cause, of licenses,
9 registrations, certificates of authority or certificates of title
10 heretofore issued and the reinstatement thereof;

11 ~~11.~~ 12. Prescribe such penalties, as it may deem proper, to be
12 assessed against holders of licenses, registrations, certificates of
13 authority or certificates of title for the failure to pay the
14 biennial fee hereinafter provided for;

15 ~~12.~~ 13. Levy civil penalties plus the legal costs incurred by
16 the Board to prosecute the case against any person or entity who
17 shall violate any of the provisions of the State Architectural and
18 Registered Interior Designers Act, or any rule promulgated thereto;

19 ~~13.~~ 14. Obtain an office, secure such facilities, and employ,
20 direct, discharge and define the duties and set the salaries of such
21 office personnel and set the salaries of such unclassified and
22 exempt office personnel as deemed necessary by the Board;

23 ~~14.~~ 15. Initiate disciplinary action, prosecute and seek
24 injunctions against any person or entity who has violated any of the

1 provisions of the State Architectural and Registered Interior
2 Designers Act or any rule of the Board promulgated pursuant to said
3 act and against the owner/developer of the building type not exempt;

4 ~~15.~~ 16. Investigate alleged violations of the State
5 Architectural and Registered Interior Designers Act or of the rules,
6 orders or final decisions of the Board;

7 ~~16.~~ 17. Promulgate rules of conduct governing the practice of
8 licensed architects and landscape architects;

9 ~~17.~~ 18. Keep accurate and complete records of proceedings, and
10 certify the same as may be appropriate;

11 ~~18.~~ 19. Whenever it deems it appropriate, confer with the
12 Attorney General or the Attorney General's assistants in connection
13 with all legal matters and questions. The Board may also retain an
14 attorney who is licensed to practice law in this state. The
15 attorney shall serve at the pleasure of the Board for such
16 compensation as may be provided by the Board. The attorney shall
17 advise the Board and perform legal services for the Board with
18 respect to any matters properly before the Board. In addition to
19 the above, the Board may employ hearing examiners to conduct
20 administrative hearings under the provisions of the Administrative
21 Procedures Act;

22 ~~19.~~ 20. Prescribe by rules, fees to be charged as required by
23 this act;

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1 ~~20.~~ 21. Adopt rules providing for a program of continuing
2 education in order to insure that all licensed architects or
3 landscape architects remain informed of those technical and
4 professional subjects which the Board deems appropriate to
5 professional architect or landscape architect practice. The Board
6 may by rule describe the methods by which the requirements of such
7 program may be satisfied. Failure to meet such requirements of
8 continuing education shall result in nonrenewal of the license
9 issued to the architect or landscape architect;

10 ~~21.~~ 22. Adopt rules regarding requirements for intern
11 development as a prerequisite for licensure or registration; and

12 ~~22.~~ 23. Take such other action as may be reasonably necessary
13 or appropriate to effectuate the State Architectural and Registered
14 Interior Designers Act.

15 SECTION 7. AMENDATORY 59 O.S. 2011, Section 46.8a, is
16 amended to read as follows:

17 Section 46.8a. A. It shall be unlawful for any person to
18 directly or indirectly engage in the practice of architecture in
19 this state or use the title "Architect", "Registered or Licensed
20 Architect", "Architectural Designer", or display or use any words,
21 letters, figures, titles, signs, cards, advertisements, or other
22 symbols or devices indicating or tending to indicate that such
23 person is an architect or is practicing architecture, unless the
24 person is licensed under the provisions of this act. No person

1 shall aid or abet any person, not licensed under the provisions of
2 this act, in the practice of architecture.

3 B. Every person applying to the Board for an initial license
4 shall submit an application accompanied by the fee established in
5 accordance with the rules of the Board, with satisfactory evidence
6 that such person holds an accredited professional degree in
7 architecture or has completed such other education as the Board
8 deems equivalent to an accredited professional degree and with
9 satisfactory evidence that such person has completed such practical
10 training in architectural work as the Board requires. If an
11 applicant is qualified in accordance with this subsection, the Board
12 shall, by means of a written examination, examine the applicant on
13 such technical and professional subjects as are prescribed by the
14 Board. None of the examination materials shall be considered public
15 records. The Board may exempt from such written examination an
16 applicant who holds a certification issued by the National Council
17 of Architectural Registration Boards or its successor or in any case
18 the Board decides the interest of the public will be served and the
19 person is determined to be qualified and competent by equivalent
20 standards for education, training and examination.

21 The Board ~~may~~ shall adopt as its own rules governing practical
22 training and education and may use those guidelines published from
23 time to time by the National Council of Architectural Registration
24 Boards or its successor. The Board may also adopt the examinations

1 and grading procedures of the National Council of Architectural
2 Registration Boards or its successor and the accreditation decisions
3 of the National Architectural Accrediting Board or its successor.
4 The Board shall issue its license to each applicant who is found to
5 be of good moral character and who satisfies the requirements set
6 forth in this section and the Board's current rules. Such license
7 shall be effective upon issuance.

8 C. Pursuant to this act and such rules as it may have adopted,
9 the Board shall have the power to issue licenses without requiring
10 an examination to persons who have been licensed to practice
11 architecture in states other than the State of Oklahoma, in a
12 territory of the United States, in the District of Columbia, or in a
13 country other than the United States; provided that the state or
14 country has a similar reciprocal provision to authorize the issuance
15 of licenses to persons who have been licensed in this state. If a
16 person who has been licensed in a state other than the State of
17 Oklahoma, or in a territory of the United States, in the District of
18 Columbia, or in a country other than the United States complies with
19 this act and the rules of the Board, ~~the~~. The secretary-treasurer,
20 acting in the exercise of his or her discretion or upon the order of
21 the Board in the exercise of its discretion and upon the receipt of
22 the stated payment to the Board pursuant to the rules of the Board,
23 shall issue to the person a license to practice architecture in this
24 state.

1 SECTION 8. AMENDATORY 59 O.S. 2011, Section 46.9, is
2 amended to read as follows:

3 Section 46.9. A. The practice of architecture or landscape
4 architecture or offering to practice these professions for others by
5 persons licensed under this act through a partnership, firm,
6 association, corporation, limited liability company or limited
7 liability partnership as directors, partners, officers,
8 shareholders, employees, managers, members or principals is
9 permitted, subject to the provisions of the State Architectural and
10 Registered Interior Designers Act, provided:

11 1. One or more of the directors, partners, officers,
12 shareholders, managers, members or principals of said partnership,
13 firm, association, corporation, limited liability company or limited
14 liability partnership is designated as being responsible for the
15 entity's activities and decisions of said partnership, firm,
16 association, corporation, limited liability company or limited
17 liability partnership;

18 2. Such director, partner, officer, shareholder, manager,
19 member or principal is duly licensed under the State Architectural
20 and Registered Interior Designers Act;

21 3. All personnel of said partnership, firm, association,
22 corporation, limited liability company or limited liability
23 partnership which act in behalf of the entity for these professions
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1 in the state are licensed under the State Architectural and
2 Registered Interior Designers Act; and

3 4. Said partnership, firm, association, corporation, limited
4 liability company or limited liability partnership has been issued a
5 certificate of authority by the Board.

6 B. The Board shall have the power to issue, revoke, deny, or
7 refuse to renew a certificate of authority for a partnership, firm,
8 association, corporation, limited liability company or limited
9 liability partnership as provided for in the State Architectural and
10 Registered Interior Designers Act.

11 C. A partnership, firm, association, corporation, limited
12 liability company or limited liability partnership desiring to
13 practice architecture or landscape architecture shall file with the
14 Board an application for a certificate of authority for each office
15 location performing work on Oklahoma projects on a form approved by
16 the Board which shall include the names, addresses, state of
17 licensure and license number of all partners, directors, officers,
18 members, managers or principals of the partnership, firm,
19 association, corporation, limited liability company or limited
20 liability partnership legally responsible for the entity's practice.
21 The form shall name an individual having the practice of
22 architecture in such person's charge who is a director, partner,
23 officer, member, manager or principal. The person shall be duly
24 licensed as an architect to practice architecture or licensed as a

1 landscape architect to practice landscape architecture in this state
2 through said partnership, firm, association, corporation, limited
3 liability company or limited liability partnership legally
4 responsible for the entity's practice or services offered and other
5 information required by the Board. In the event there shall be a
6 change in any of these persons during the term of the certification,
7 such change shall be filed with the Board within thirty (30) days
8 after the effective date of said change. If all of the requirements
9 of this section and the Board's current rules have been met, the
10 Board shall issue a certificate of authority to such partnership,
11 firm, association, corporation, limited liability company or limited
12 liability partnership.

13 D. Any other person licensed pursuant to the State
14 Architectural and Registered Interior Designers Act, not practicing
15 these professions as a partnership, firm, association, corporation,
16 limited liability company or limited liability partnership, shall
17 practice as an individual.

18 E. No such partnership, firm, association, corporation, limited
19 liability company or limited liability partnership shall be relieved
20 of responsibility for the conduct or acts of its agents, employees,
21 partners, directors, officers, managers, members or principals by
22 reason of its compliance with the provisions of this section, or
23 shall any individual practicing these professions be relieved of
24 responsibility for professional services performed as an individual

1 by reason of such person's employment or relationship with such
2 partnership, firm, association, corporation, limited liability
3 company or limited liability partnership.

4 F. The Secretary of State shall not issue a certificate of
5 incorporation or register a foreign corporation or any other entity
6 which includes among the objectives for which it is established any
7 of the words "Architect", "Architectural", "Architecture",
8 "Landscape Architect", "Landscape Architecture" or any modification
9 or derivation of these words, unless the Board has issued for said
10 applicant either a certificate of authority for an entity, or a
11 letter indicating ~~the~~ eligibility for an exemption pursuant to the
12 State Architectural and Registered Interior Designers Act. The
13 entity applying shall supply such certificate or letter from the
14 Board with its application for incorporation or registration.

15 G. The Secretary of State shall not register any trade name or
16 service mark which includes such words, as set forth in subsection F
17 of this section, or modifications or derivatives thereof in its firm
18 name or logotype except those entities or individuals holding
19 certificates of authority issued under the provisions of this
20 section or letters of eligibility issued by the Board.

21 H. The use of the title "Registered Interior Designer" by a
22 partnership, firm, association, corporation, limited liability
23 company or limited liability partnership is allowed to those
24 entities listed, provided:

1 1. One or more of the directors, partners, officers,
2 shareholders, members, managers or principals is registered with the
3 Board as a registered interior designer and is in good standing with
4 the Board; and

5 2. The partnership, firm, association, corporation, limited
6 liability company or limited liability partnership has been issued a
7 certificate of title by the Board.

8 I. The Board shall have the power to issue, revoke, deny or
9 refuse to renew a certificate of title for a partnership, firm,
10 association, corporation, limited liability company or limited
11 liability partnership as provided for in the State Architectural and
12 Registered Interior Designers Act.

13 J. A partnership, firm, association, corporation, limited
14 liability company or limited liability partnership shall file with
15 the Board an application for a certificate of title on a form
16 approved by the Board which shall include the names, addresses,
17 state of registration and registration number of all directors,
18 partners, officers, shareholders, members, managers, or principals
19 of the partnership, firm, association, corporation, limited
20 liability company or limited liability partnership. In the event
21 there shall be a replacement of any of these persons during the term
22 of certification, the change shall be filed with the Board within
23 thirty (30) days after the effective date of the change. If all the
24 requirements of this section, this act and the current rules of the

1 Board have been met, the Board shall issue a certificate of title to
2 such partnership, firm, association, corporation, limited liability
3 company or limited liability partnership.

4 K. The Secretary of State shall not issue a certificate of
5 incorporation or register a foreign corporation or any other entity
6 which includes among the objectives for which it is established ~~any~~
7 ~~of the words "Registered Interior Designer" or any modification or~~
8 ~~derivation of these words,~~ unless the Board has issued for the
9 applicant either a certificate of title for an entity, or a letter
10 indicating the eligibility for an exemption pursuant to the State
11 Architectural and Registered Interior Designers Act. The firm
12 applying shall supply such certificate of title or letter from the
13 Board with its application for incorporation or registration.

14 L. The Secretary of State shall not register any trade name or
15 service mark which includes such words as set forth in subsection K
16 of this section, or modification or derivatives thereof in its firm
17 name or logotype except those entities or individuals holding
18 certificates of title issued under the provisions of this section or
19 letters of eligibility issued by the Board.

20 M. Upon application for renewal and upon compliance with the
21 provisions of the State Architectural and Registered Interior
22 Designers Act and the rules of the Board, a certificate of title
23 shall be renewed as provided in this act.

24

1 N. Upon application for renewal and upon compliance with the
2 provisions of the State Architectural and Registered Interior
3 Designers Act and the rules of the Board, a certificate of authority
4 shall be renewed as provided in this act.

5 SECTION 9. AMENDATORY 59 O.S. 2011, Section 46.10, is
6 amended to read as follows:

7 Section 46.10. Every licensed architect, landscape architect
8 ~~and~~ or registered interior designer shall pay to the Board a the fee
9 as prescribed by the rules of the Board. Upon receipt of the fee
10 the Board shall issue a renewal of the license or registration,
11 which shall authorize the person to practice architecture, landscape
12 architecture or use the title registered interior designer, as the
13 case may be, in this state. The license of an architect or
14 landscape architect or the registration of a registered interior
15 designer which has been canceled by the Board for nonpayment of dues
16 may be renewed at any time within three (3) years from the date of
17 the cancellation, upon payment to the Board of the fees which had
18 accrued at the time of the cancellation and which would have been
19 paid at the time of reinstatement had not the license or
20 registration been suspended, together with payment of the amount of
21 penalties which may have been prescribed by the Board. If a license
22 or registration remains canceled for a period exceeding three (3)
23 consecutive years, it shall not be reinstated unless the licensee or
24 registrant has taken or submitted to a test or a quiz or a Board

1 review or an examination as the circumstances of the individual case
2 may warrant and as may be prescribed by the Board in order to
3 determine continued competency of the licensee or registrant. A
4 partnership, firm, association, corporation, limited liability
5 company or limited liability partnership shall pay to the Board the
6 fee prescribed and in the manner provided by the rules of the Board
7 for the renewal of the certificate of authority or certificate of
8 title for such partnership, firm, association, corporation, limited
9 liability company or limited liability partnership.

10 SECTION 10. AMENDATORY 59 O.S. 2011, Section 46.11, is
11 amended to read as follows:

12 Section 46.11. No license for architects or landscape
13 architects or a certificate of authority for a partnership, firm,
14 association, corporation, limited liability company or limited
15 liability partnership, shall be issued or renewed for longer than
16 two (2) years. A license or certificate may be renewed upon
17 application, compliance with this act and/or the rules of the Board,
18 and payment of fees prior to or on June 30 of alternate years.
19 Every licensed architect or landscape architect having a place of
20 business or employment within the state shall display such person's
21 license in a conspicuous place in such place of business or
22 employment. A new license to replace a lost, destroyed or mutilated
23 license shall be issued by the Board upon payment of a fee
24 established in accordance with the rules of the Board.

1 SECTION 11. AMENDATORY 59 O.S. 2011, Section 46.12, is
2 amended to read as follows:

3 Section 46.12. After the expiration of a period of six (6)
4 months and upon payment to the Board of a the fee ~~as~~ prescribed by
5 the rules of the Board, a person or entity whose license,
6 registration or certificate of authority has been suspended or
7 revoked for cause, pursuant to the provisions of the State
8 Architectural and Registered Interior Designers Act, may file an
9 application with the Board for the reinstatement of said license,
10 registration, certificate of authority or certificate of title.
11 After a showing has been made by the applicant to the Board that the
12 interests of the public will not suffer by reason of reinstatement,
13 the Board in its discretion may order the reinstatement of the
14 license, registration, certificate of authority or certificate of
15 title upon the payment of a sum equal to the fees which would have
16 accrued had not the license, registration, certificate of authority
17 or certificate of title of the applicant been suspended or revoked.

18 SECTION 12. AMENDATORY 59 O.S. 2011, Section 46.14, is
19 amended to read as follows:

20 Section 46.14. The Board shall have power to suspend, to revoke
21 or refuse to renew a license, registration, certificate of authority
22 or certificate of title issued by it, pursuant to the provisions of
23 the State Architectural and Registered Interior Designers Act, when
24 the holder thereof:

- 1 1. ~~Shall have~~ Has been convicted of a felony;
- 2 2. ~~Shall have~~ Has been guilty of fraud or misrepresentation in
3 ~~the person's application, whether for an examination or for a~~
4 ~~license or registration without examination, or of fraud in the~~
5 ~~examination;~~
- 6 3. ~~Shall have~~ Has been guilty of gross incompetence or
7 ~~recklessness in the practice of architecture~~ relating to the
8 construction of buildings or structures, or of dishonest practices;
- 9 4. Shall have been guilty of gross incompetence or recklessness
10 in the practice of landscape architecture, or of dishonest
11 practices;
- 12 5. Presents the license, registration or certification of
13 another as his or her own;
- 14 6. Gives false or forged evidence to the Board;
- 15 7. Conceals information relative to any inquiry, investigation
16 or violation of this act or rules promulgated under this act;
- 17 8. ~~Shall have~~ Has been found to be guilty of a violation of a
18 provision of the State Architectural and Registered Interior
19 Designers Act, or the rules of the Board; provided, that a person or
20 entity complained of:
 - 21 a. ~~shall first have been served notice in the same manner~~
22 ~~as provided by law in other civil actions of the~~
23 ~~charges filed against the person or entity and of the~~
- 24

1 ~~time, place, and nature of the hearing before the~~
2 ~~Board, and~~

3 ~~b. shall have the right to be represented by counsel and~~
4 ~~an opportunity to respond and present evidence and~~
5 ~~argument on all issues involved, by the introduction~~
6 ~~of evidence and by the examination and cross-~~
7 ~~examination of witnesses, and to compel the attendance~~
8 ~~of witnesses and the production of books and papers.~~
9 ~~Pursuant to the foregoing, the Board shall have the~~
10 ~~power of a court of record, including the power to~~
11 ~~issue subpoena and to compel the attendance and~~
12 ~~testimony of witnesses. Each member of the Board~~
13 ~~shall have the power to administer oaths and to issue~~
14 ~~subpoena. Whenever any person who shall have been~~
15 ~~subpoenaed to appear to give testimony, or to answer~~
16 ~~any pertinent or proper question, or to produce books,~~
17 ~~papers or documents which shall have been designated~~
18 ~~in a subpoena, either on behalf of the prosecution or~~
19 ~~on behalf of the accused, shall refuse to appear to~~
20 ~~testify before the Board, or to answer any pertinent~~
21 ~~or proper questions, or to produce a book, paper or~~
22 ~~document which shall have been designated in a~~
23 ~~subpoena, the person shall be deemed to be in contempt~~
24 ~~of the Board, and it shall be the duty of the~~

~~presiding officer of the Board, to report the fact to
the district court of the State of Oklahoma in and for
the county in which such person may be or may reside
whereupon the court shall issue an attachment in the
usual form, directed to the sheriff of the county,
which shall command the sheriff to attach such person
and forthwith bring the person before the court. On
the return of the attachment duly served upon the
accused, or upon the production of the person
attached, the district court shall have jurisdiction
of the matter. The person charged may purge himself
or herself of the contempt in the same way and the
same proceedings shall be had, and the same penalties
may be imposed, as in the case of a witness subpoenaed
to appear and give evidence on the trial of a civil
cause before a district court of the State of
Oklahoma. Depositions may be taken and used in the
same manner as in civil cases shall be afforded the
opportunity for a formal hearing carried out as
described under the current Administrative Procedures
Act or settled by the Board with a consent order or
final order approved by the Board; or~~

9. Fails to take and/or pass finger print based criminal
history background check pursuant to Section 150.9 of Title 74 of

1 the Oklahoma Statutes for initial, reciprocal, reinstating or
2 renewing any license, registration, certificate of authority or
3 certificate of title.

4 The Board shall keep a record of the evidence in, and a record
5 of each proceeding for the suspension, revocation of or refusal to
6 renew a license or certificate of authority and shall make findings
7 of fact and render a decision therein. If, after a hearing, the
8 charges shall have been found to have been sustained by the vote of
9 a majority of the members of the Board it shall immediately enter
10 its order of suspension, revocation, penalties, probation,
11 educational course work and objectives or refusal to renew, as the
12 case may be.

13 SECTION 13. AMENDATORY 59 O.S. 2011, Section 46.15, is
14 amended to read as follows:

15 Section 46.15. Any person or entity aggrieved by a final order
16 of the Board may appeal from ~~such~~ the decision by filing a petition
17 in the District Court of Oklahoma County within thirty (30) days
18 from the date of ~~such~~ the final order. The District Court of
19 Oklahoma County shall have jurisdiction of an appeal from the Board,
20 and shall have power to affirm, reverse or modify the decisions of
21 the Board. Such appeals shall be subject to the law and practice
22 applicable to other civil actions. Provided, that any party to said
23 appeal may appeal from the decision of said district court to the
24

1 Supreme Court of Oklahoma in the same manner as provided by law in
2 other civil actions.

3 SECTION 14. AMENDATORY 59 O.S. 2011, Section 46.17, is
4 amended to read as follows:

5 Section 46.17. Any person or entity convicted of violating any
6 provision of the State Architectural and Registered Interior
7 Designers Act shall be guilty of a misdemeanor. The continued
8 violation of any provision of the State Architectural and Registered
9 Interior Designers Act during each day shall be deemed to be a
10 separate offense. Upon conviction thereof the person or entity
11 shall be punished by imprisonment in the county jail not to exceed
12 one (1) year, or by a fine of not more than the amount of One
13 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment
14 for each offense. The Board may request the appropriate district
15 attorney to prosecute such violation and seek an injunction against
16 such practice.

17 SECTION 15. AMENDATORY 59 O.S. 2011, Section 46.18, is
18 amended to read as follows:

19 Section 46.18. A. Any person or entity who has been determined
20 by the Board to have violated any provision of the State
21 Architectural and Registered Interior Designers Act or any rule or
22 order issued pursuant to the provisions of the State Architectural
23 and Registered Interior Designers Act may be liable for a civil
24 penalty of ~~not more than One Hundred Dollars (\$100.00) for each day~~

1 ~~that said violation continues up to Twenty-five Thousand Dollars~~
2 ~~(\$25,000.00) per violation and/or not more than the commission~~
3 ~~and/or fees paid to the person and/or entity for a specific project~~
4 ~~in addition to the penalties in Section 46.17 of this title plus the~~
5 ~~legal costs incurred by the Board to prosecute the case. The~~
6 ~~maximum civil penalty shall not exceed Ten Thousand Dollars~~
7 ~~(\$10,000.00) for any related series of violations plus the legal~~
8 ~~costs incurred by the Board to prosecute the case.~~

9 B. The amount of the penalty shall be assessed by the Board
10 pursuant to the provisions of subsection A of this section, after
11 notice and hearing. In determining the amount of the penalty, the
12 Board shall include but not be limited to consideration of the
13 nature, circumstances, and gravity of the violation and, with
14 respect to the person or entity found to have committed the
15 violation, the degree of culpability, the effect on ability of the
16 person or entity to continue to do business, and any show of good
17 faith in attempting to achieve compliance with the provisions of the
18 State Architectural and Registered Interior Designers Act. All
19 monies collected from such civil penalties shall be deposited with
20 the State Treasurer of Oklahoma and placed in the Board of
21 Architects⁺ Fund.

22 C. Any license, registration, certificate of authority or
23 certificate of title holder may elect to surrender the license,
24 registration, certificate of authority or certificate of title in

1 lieu of said fine but shall be forever barred from obtaining a
2 reissuance of said license, registration, certificate of authority
3 or certificate of title.

4 SECTION 16. AMENDATORY 59 O.S. 2011, Section 46.19, is
5 amended to read as follows:

6 Section 46.19. All monies which shall be paid to the Board
7 pursuant to the provisions of the State Architectural and Registered
8 Interior Designers Act shall be deposited with the State Treasurer
9 of Oklahoma and placed in a separate and distinct fund to be known
10 as the "Board of Architects¹ Fund". At the end of each fiscal year
11 hereafter such unexpended balance remaining in the Board of
12 Architects¹ Fund shall be carried over and continued therein. All
13 sums of money now or hereafter to be or to come into the fund are
14 hereby appropriated for the purpose of effectuating the purposes of
15 the State Architectural and Registered Interior Designers Act, and
16 to pay all costs and expenses heretofore and hereafter incurred in
17 connection therewith.

18 SECTION 17. AMENDATORY 59 O.S. 2011, Section 46.20, is
19 amended to read as follows:

20 Section 46.20. At the close of each fiscal year, the Board
21 shall make a full report of its proceedings during the year to the
22 Governor and shall pay into the General Revenue Fund of the state,
23 ten percent (10%) of all license and, registration, certificate of
24

1 authority and certificate of title issuance and renewal fees
2 collected and received during the fiscal year.

3 SECTION 18. AMENDATORY 59 O.S. 2011, Section 46.21, is
4 amended to read as follows:

5 Section 46.21. A. The State Architectural and Registered
6 Interior Designers Act shall not apply to any persons, firms,
7 corporations, limited liability companies or limited liability
8 partnerships ~~who prepare plans and specifications for persons,~~
9 ~~firms, corporations, limited liability companies or limited~~
10 ~~liability partnerships other than such person or entity,~~ that do not
11 hold a license, registration or certification in any jurisdiction
12 ~~for buildings~~ exempted code use groups defined by the State
13 Architectural and Registered Interior Designers Act ~~from requiring~~
14 ~~an architect licensed under the laws of the State of Oklahoma,~~
15 providing such persons and/or entities, ~~firms, corporations, limited~~
16 ~~liability companies or limited liability partnerships~~ shall not, ~~in~~
17 ~~any manner,~~ represent such person or entity to be an architect or
18 other title of profession or business using a form of the word,
19 "Architect", ~~and providing further that nothing in the State~~
20 ~~Architectural and Registered Interior Designers Act.~~ This act shall
21 not prevent such persons, ~~firms, corporations, limited liability~~
22 ~~companies or limited liability partnerships advertising or selling~~
23 ~~such~~ and/or entities from advertising or selling their service.
24

1 Any architect, landscape architect or registered interior
2 designer from any jurisdiction that contracts, provides or holds out
3 to the public that they are able to provide professional services in
4 Oklahoma is required to hold a license, registration or certificate
5 from this Board, in this state, even on exempt code use groups and
6 are required to sign, seal and date all construction documents and
7 technical submissions.

8 B. Nothing in this act shall be construed to prevent:

9 ~~1. The the preparation of technical submissions or the~~
10 ~~administration of construction contracts by employees of a person or~~
11 ~~entity lawfully engaged in the practice of architecture when such~~
12 ~~employees are acting under the responsible control of a licensed~~
13 ~~architect;~~

14 ~~2. A nonresident, who holds the certification issued by the~~
15 ~~National Council of Architectural Registration Boards, from offering~~
16 ~~to render the professional services involved in the practice of~~
17 ~~architecture; provided, that the person shall not perform any of the~~
18 ~~professional services involved in the practice of architecture until~~
19 ~~licensed as hereinbefore provided; and further provided, that the~~
20 ~~person shall notify the Board in writing that:~~

21 ~~a. the person holds a National Council of Architectural~~
22 ~~Registration Boards certificate and is not currently~~
23 ~~licensed in the jurisdiction, but will be present in~~

24

1 ~~the state for the purpose of offering to render~~
2 ~~architectural services,~~

3 ~~b. the person will deliver a copy of such notice to every~~
4 ~~potential client to whom the applicant offers to~~
5 ~~render architectural services, and~~

6 ~~c. the person promises to apply immediately to the Board~~
7 ~~for registration if selected as the architect for the~~
8 ~~project; or~~

9 ~~3. A person, who holds the certification issued by the National~~
10 ~~Council of Architectural Registration Boards but who is not~~
11 ~~currently licensed in the jurisdiction, from seeking an~~
12 ~~architectural commission by participating in an architectural design~~
13 ~~competition for a project in the state; provided, that the person~~
14 ~~shall notify the Board in writing that:~~

15 ~~a. the person holds a National Council of Architectural~~
16 ~~Registration Boards certificate and is not currently~~
17 ~~licensed in the jurisdiction, but will be present in~~
18 ~~the state for the purpose of participating in an~~
19 ~~architectural design competition,~~

20 ~~b. the person will deliver a copy of such notice to every~~
21 ~~person conducting an architectural design competition~~
22 ~~in which the applicant participates, and~~

1 e. ~~the person promises to apply immediately to the Board~~
2 ~~for registration if selected as the architect for the~~
3 ~~project.~~

4 C. The following shall govern design competitions in the state:

5 1. Nothing in this act shall prohibit a person or firm from
6 participating in an architectural design competition involving only
7 architectural programming, planning, schematic design or design
8 development information provided to a sponsor; and

9 2. The competition winner, prior to seeking the commission for
10 architectural services on the proposed project, shall apply for
11 licensing in this state within ten (10) days of notification of
12 winning the competition and complete the process within thirty (30)
13 days.

14 SECTION 19. AMENDATORY 59 O.S. 2011, Section 46.21b, is
15 amended to read as follows:

16 Section 46.21b. A. An architect shall be required to plan,
17 design and prepare plans and specifications for the following
18 ~~building types~~ Code Use Groups except where specifically exempt from
19 the provisions of the State Architectural and Registered Interior
20 Designers Act. All use groups in this section are defined by the
21 ~~2003~~ International Building Code currently adopted codes by the
22 Uniform Building Code Commission of the State of Oklahoma.

23 B. The construction, addition or alteration of a building of
24 any size or occupancy in the following Code Use Groups shall be

1 subject to the provisions of the State Architectural and Registered
2 Interior Designers Act:

- 3 1. Code Use Group I - Institutional;
- 4 2. Code Use Group R-2 - Residential, limited to dormitories,
5 fraternities and sororities, and monasteries and convents;
- 6 3. Code Use Group A-1 - Assembly and theaters;
- 7 4. Code Use Group A-4 - Assembly, arenas and courts;
- 8 5. Code Use Group A-5 - Assembly, bleachers and grandstands;

9 and

10 6. Buildings for which the designated Code Use Group changes
11 are not exempt from the State Architectural and Registered Interior
12 Designers Act.

13 C. The following shall be exempt from the provisions of the
14 State Architectural and Registered Interior Designers Act; provided
15 that, for the purposes of this subsection, a basement is not to be
16 counted as a story for the purpose of counting stories of a building
17 for height regulations except as defined by the adopted code:

- 18 1. ~~The construction, addition or alteration of a building no~~
19 ~~more than two stories in height and with a code defined occupancy of~~
20 ~~no more than fifty (50) persons for the Code Use Groups A-2 and A-3~~
21 ~~- Assembly and Code Use Group E - Education - no more than two (2)~~
22 ~~stories in height and a code defined occupancy of no more than fifty~~
23 ~~(50) persons;~~

24

1 2. ~~The construction, addition or alteration of a building no~~
2 ~~more than two stories in height and no more than sixty-four~~
3 ~~transient lodging units per building for the Code Use Group R1 -~~
4 Residential, including, but not limited to, hotels and motels no
5 more than two (2) stories in height and no more than sixty-four (64)
6 transient lodging units per building;

7 3. ~~The construction, addition or alteration of a building no~~
8 ~~more than two stories in height and with a gross square footage not~~
9 ~~exceeding one hundred thousand (100,000) in the Code Use Group B -~~
10 Business no more than two (2) stories in height and with a gross
11 square footage not exceeding one hundred thousand (100,000);

12 4. ~~The construction, addition or alteration of a building no~~
13 ~~more than two stories in height and with a gross square footage not~~
14 ~~exceeding two hundred thousand (200,000) in the Code Use Group M -~~
15 Mercantile - no more than two (2) stories in height and with a gross
16 square footage not exceeding two hundred thousand (200,000); and

17 5. The construction, addition or alteration of a building no
18 more than two stories in height in the following Code Use Groups or
19 buildings:

- 20 a. Code Use Group U - Utility,
- 21 b. Code Use Group F - Factory and Industrial,
- 22 c. Code Use Group H - High hazard,
- 23 d. Code Use Group S - Storage,

- 1 e. Code Use Group R2 - Residential, including apartments
2 containing no more than thirty-two dwelling units or
3 thirty-two guest units per building,
- 4 f. Code Use Groups R3 and R4 - Residential,
- 5 g. all buildings used by a municipality, county, state,
6 public trust, public agency or the federal government
7 with a construction value under One Hundred Fifty-
8 eight Thousand Dollars (\$158,000.00),
- 9 h. incidental buildings or appurtenances associated with
10 paragraphs 1 through 5 of this subsection, and
- 11 i. all uninhabitable, privately owned agricultural
12 buildings.

13 D. The addition, renovation or alteration of ~~a building~~
14 buildings where the ~~intended~~ use ~~is~~ was exempt as new construction
15 ~~shall be exempt from the provisions of the State Architectural and~~
16 ~~Registered Interior Designers Act~~ shall remain exempt if the Code
17 Use Group doesn't change.

18 E. ~~Addition, renovation or alteration of buildings where the~~
19 ~~intended use is not exempt from the provisions of this act, but~~
20 ~~where the planned addition or alteration, as determined by the~~
21 ~~applicable building official, does not affect the primary~~
22 ~~structural, mechanical, or electrical systems, life-safety systems~~
23 ~~or exit passageways shall be exempt from the provisions of the State~~
24 ~~Architectural and Registered Interior Designers Act~~ Upgrades,

1 repairs, replacements and changes made on projects in Code Use
2 Groups found in this title, Section 46.21b of this title requiring
3 an architect are exempt from hiring an architect if the upgrades,
4 repairs, replacements or changes do not affect the existing primary
5 structural, mechanical, electrical systems, life-safety systems,
6 fire codes or exit passageways and/or egress as determined by the
7 applicable building official having jurisdiction.

8 SECTION 20. AMENDATORY 59 O.S. 2011, Section 46.24, is
9 amended to read as follows:

10 Section 46.24. A. Except as otherwise provided in the State
11 Architectural and Registered Interior Designers Act, no license
12 shall be issued to any person to practice architecture in this state
13 unless the person:

14 1. Is twenty-one (21) years of age or over and is of good moral
15 character;

16 2. ~~Is an actual bona fide resident of this state, except the~~
17 ~~Board may waive this requirement in the case of a bona fide resident~~
18 ~~of a foreign country or in any other case when the Board determines~~
19 ~~the applicant for a license is not seeking to avoid the requirements~~
20 ~~of the state of residence for a license;~~

21 3. Is the holder of an accredited professional degree in
22 architecture and shall have had such practical training as this act
23 and the Board, by rule, shall deem appropriate. In lieu of the
24 requirement of an accredited professional degree, the Board may

1 ~~register~~ license an applicant who demonstrates in accordance with
2 such standards and requirements as determined by this act and/or the
3 ~~Board adopts by rule~~ Board's rules that the person has such other
4 educational experience as the Board deems equivalent to an
5 accredited professional degree in architecture or in any case the
6 Board decides the interest of the public will be served and the
7 person is determined to be qualified and competent by equivalent
8 standards for Architects and in compliance with this act and/or
9 rules and/or in compliance with Section 4100.1 et seq. of this
10 title;

11 ~~4.~~ 3. Has paid to the Board a fee as prescribed by the rules of
12 the Board plus the actual cost of the examination given by the
13 Board; and

14 ~~5.~~ 4. Has passed the examinations prescribed by the Board for
15 the issuance of a license.

16 B. Upon meeting the requirements of subsection A of this
17 section and payment of an initial fee as may be prescribed by the
18 rules of the Board, the Board shall issue to the applicant a license
19 which shall authorize the applicant to engage in the practice of
20 architecture in this state. The Board has the authority to issue
21 temporary licenses while qualifying the applicant.

22 C. The examination for a license to practice architecture in
23 this state shall be held ~~not less than once each year,~~ shall cover
24 ~~such subjects as may be prescribed by the Board~~ administered by

1 computerized method, except Board administered exams and shall be
2 graded on such basis as the Board shall prescribe by rule. The
3 Board may adopt the examinations, requirements for admission to the
4 examinations and the grading procedures of the National Council of
5 Architectural Registration Boards or its successor. ~~Notice of the~~
6 ~~time and place for the holding of examinations shall be given in the~~
7 ~~manner and form prescribed by the Board.~~

8 D. The license certificate shall be in a form prescribed by the
9 Board. The certificate shall be signed by the chair and by the
10 secretary-treasurer of the Board and shall bear the impress of the
11 seal of the Board. All papers received by the Board relating to an
12 application for a license, to an examination and to the issuance of
13 a license shall be electronically retained by the Board ~~for three~~
14 ~~(3) years~~ and originals destroyed. If it was incomplete, it shall
15 only be retained for one (1) year from the date of submission and
16 then destroyed.

17 E. The following Board records and papers are of a confidential
18 nature and are not public records: Examination material for
19 examinations before and after they are given, file records of
20 examination problem solutions, letters of inquiry and reference
21 concerning applicants, Board inquiry forms concerning applicants,
22 and investigation files. The agency's computer software, hardware
23 and programming codes, documents and all other related issues and
24 documents are not a public record, nor open to the public. They are

1 confidential property of the agency and State of Oklahoma and will
2 only be open and available to other government entities.

3 Each licensed architect shall have a seal, the image of which
4 must contain the name of the architect, the person's license number
5 and the words, "Licensed Architect, State of Oklahoma". All
6 technical submissions prepared by such architect, or under the
7 responsible control of the architect shall be sealed, signed and
8 dated, which shall mean that the architect was in responsible
9 control over the content of such technical submissions during their
10 preparation. No licensed architect may sign or seal technical
11 submissions unless they were prepared by or under the responsible
12 control of the architect; except that:

13 1. The person may sign or seal those portions of the technical
14 submissions that were prepared by or under the responsible control
15 of persons who are licensed under the State Architectural and
16 Registered Interior Designers Act if the architect has reviewed and
17 adapted in whole or in part such portions and has either coordinated
18 their preparation or integrated them into the work; and

19 2. The person may sign or seal those portions of the technical
20 submissions that are not required to be prepared by or under the
21 responsible control of an architect if the architect has reviewed
22 and adapted in whole or in part such submissions and integrated them
23 into the work. The seal may be a rubber stamp or may be generated
24 electronically, pursuant to rules adopted by the Board.

1 SECTION 21. AMENDATORY 59 O.S. 2011, Section 46.26, is
2 amended to read as follows:

3 Section 46.26. It shall be unlawful for an architect to accept
4 or ~~to~~ receive compensation, directly or indirectly, from another
5 than his or her client in connection with the reparation, alteration
6 or construction of a building or structure in relation to which he
7 shall have accepted employment in any manner.

8 SECTION 22. AMENDATORY 59 O.S. 2011, Section 46.27, is
9 amended to read as follows:

10 Section 46.27. It shall be unlawful for an architect, at any
11 time, to bid or hold a financial interest in any entity
12 competitively bidding for a contract for the reparation, alteration
13 or erection of a building or other structure for which he has
14 prepared the plans and specifications unless the contract is a
15 design/build contract.

16 SECTION 23. AMENDATORY 59 O.S. 2011, Section 46.28, is
17 amended to read as follows:

18 Section 46.28. The State Architectural and Registered Interior
19 Designers Act shall not require the licensing or registration of
20 practitioners of the following professions and occupations to
21 practice landscape architecture:

22 1. A professional civil engineer, as defined in Section 475.2
23 of this title, certified to practice the profession in this state
24 under any act to regulate the practice of that profession. Nothing

1 contained in the State Architectural and Registered Interior
2 Designers Act shall be construed as precluding an architect or
3 engineer from performing services included within the definition of
4 "landscape architecture" when incidental, meaning less than ten
5 percent (10%) of the total project cost, to the performance of his
6 or her normal practice as an architect or engineer;

7 2. A landscape contractor building or installing what was
8 designed by a landscape architect;

9 3. An agriculturist, horticulturist, forester as defined in
10 Section 1202 of this title, nursery operator, gardener, landscape
11 gardener, garden or lawn caretaker and grader or cultivator of land
12 involved in the selection, placement, planting and maintenance of
13 plant material;

14 4. Persons who act under the supervision of a licensed
15 landscape architect or an employee of a person lawfully engaged in
16 the practice of landscape architecture and who, in either event,
17 does not assume responsible charge of design or supervision;

18 5. Regional planners or urban planners, who evaluate and
19 develop land-use plans to provide for community and municipal
20 projections of growth patterns based on demographic needs;

21 6. A landscape designer or contractor whose business is ~~to~~
22 ~~consult and prepare plans and specifications with respect to~~
23 choosing types of plants, and planning ~~the~~ their location ~~thereof~~
24 and the design of landscapes for those projects or whose work is

1 limited to projects for a single-family residential home. Landscape
2 design or installation work may also be performed by an owner or
3 occupant on the single-family residence of the owner or occupant;

4 7. Persons other than landscape architects who prepare details
5 and shop drawings for use in connection with the execution of their
6 work;

7 8. Builders or their superintendents in the supervision of
8 landscape architectural projects; and

9 9. Persons in the occupations set forth in this section shall
10 not use the title "landscape architect" or hold themselves out to
11 practice "landscape architecture" without complying with the
12 provisions of the State Architectural and Registered Interior
13 Designers Act and the rules of the Board.

14 SECTION 24. AMENDATORY 59 O.S. 2011, Section 46.29, is
15 amended to read as follows:

16 Section 46.29. No person shall practice landscape architecture
17 in this state, or use the title "landscape architect" on any sign,
18 title, card or device to indicate that such person is practicing
19 landscape architecture or is a landscape architect, unless such
20 person shall have secured ~~from the Board~~ a license from the Board.

21 SECTION 25. AMENDATORY 59 O.S. 2011, Section 46.30, is
22 amended to read as follows:

23 Section 46.30. The Board shall license, as a landscape
24 architect, each applicant who demonstrates to the satisfaction of

1 the Board his or her ~~fitness~~ qualification and competence or in any
2 case the Board decides the interest of the public will be served for
3 such license as provided in equivalent standards for education,
4 training and examination in this act and/or the Board's current
5 rules.

6 The Board shall issue to each individual licensed a certificate
7 of qualification and the right to use the title "landscape
8 architect"~~7~~ and to practice landscape architecture in the state.

9 SECTION 26. AMENDATORY 59 O.S. 2011, Section 46.31, is
10 amended to read as follows:

11 Section 46.31. A. Any person of good moral character who is a
12 legal resident of the State of Oklahoma and who is twenty-one (21)
13 years of age or older, with a degree from an approved landscape
14 architecture program, ~~and upon~~ completion of practical training ~~as~~
15 and passage of examinations, or in any case the Board determines the
16 interest of the public will be served and the person is determined
17 by the Board to be qualified and competent by equivalent standards,
18 this act and/or the Board, by rule, Board's rules shall deem
19 appropriate and/or in compliance with Section 4100.1 et seq. of this
20 title, whose application has been approved by the Board, and who has
21 fulfilled such other requirements as determined by the State
22 Architectural and Registered Interior Designers Act and the rules of
23 the Board, upon the payment to the Board of a fee as prescribed by
24 the rules of the Board, plus an amount to be determined by the

1 Board, equal to the cost of the examination, may take an examination
2 for the purpose of securing a license to practice landscape
3 architecture in this state. Examinations shall be administered by
4 computer except for the Board's specific examinations. Examinations
5 shall be held not less than once each year by the Board or by a
6 committee appointed by it to do so. Notice of the time and place of
7 the holding of examinations shall be given in manner and form as
8 prescribed by the Board. All landscape architects are required to
9 take and pass the Oklahoma Plant material test and pay fees.

10 B. The Board shall establish rules for examination of landscape
11 architects and may elect to follow the recommendations of the
12 Council of Landscape Architects Registration Board (CLARB) or its
13 successor. The examinations shall be designed to determine the
14 qualifications of the applicant to practice landscape architecture.
15 The examination shall cover such technical, professional and
16 practical subjects as relate to the practice of the profession of
17 landscape architecture. The examination shall also cover the basic
18 arts and sciences and knowledge of material which is necessary to
19 the proper understanding, application and qualification for practice
20 of the profession of landscape architecture. The minimum passing
21 grade in all subjects of the examination shall be as established by
22 the Board. An applicant receiving a passing grade on a subject
23 included in the examination will be given credit, subject to CLARB's
24 provisions and subject to the rules of the Board. Applicants for

1 readmittance to the examination shall pay the ~~full examination~~
2 application fee for ~~each~~ testing.

3 Upon passage of the examination, completion of the Board's
4 requirements as prescribed by this act and/or rules, and the payment
5 of a sum as prescribed by the rules of the Board, the Board shall
6 issue to the applicant a license certificate which shall authorize
7 the person to engage in the practice of landscape architecture in
8 this state.

9 C. Pursuant to such rules as it may have adopted, the Board
10 shall have the power to issue licenses without requiring an
11 examination to persons who have been licensed to practice landscape
12 architecture in states other than the State of Oklahoma, in a
13 territory of the United States, in the District of Columbia, or in a
14 country other than the United States provided that the state,
15 territory, district or country has a similar reciprocal provision to
16 authorize the issuance of licenses to persons who have been licensed
17 in this state. If a person who has been licensed in a state other
18 than the State of Oklahoma, or in a territory of the United States,
19 in the District of Columbia, or in a country other than the United
20 States who complies with this act and rules of the Board, the
21 secretary-treasurer, in the exercise of his or her discretion, or
22 upon the order of the Board and upon the receipt of the stated fee
23 by the Board, shall issue to the person a license to practice
24 landscape architecture in this state.

1 D. The Board also has the authority to issue temporary licenses
2 while qualifying the applicant.

3 E. The following shall govern design competitions in the state:

4 1. Nothing in this act shall prohibit a person or firm from
5 participating in a landscape architectural design competition
6 involving only programming, planning, schematic design or design
7 development information provided to a sponsor; and

8 2. The competition winner, prior to seeking the commission for
9 services on the proposed project, shall apply for licensing in this
10 state within ten (10) days of notification of winning the
11 competition and complete the process within thirty (30) days.

12 SECTION 27. AMENDATORY 59 O.S. 2011, Section 46.32, is
13 amended to read as follows:

14 Section 46.32. The privilege of engaging in the practice of
15 landscape architecture is personal, based upon the qualifications of
16 the individual and evidenced by the individual's registration, ~~and~~
17 The registration is not transferable.

18 SECTION 28. AMENDATORY 59 O.S. 2011, Section 46.33, is
19 amended to read as follows:

20 Section 46.33. The Board may restore a license to any person
21 whose license has lapsed or has been revoked or suspended.
22 Application for the reissuance of a license ~~and fees~~ shall be made
23 in ~~such~~ the manner as the Board may direct. The fees set by the
24 Board shall accompany the application for reissuance.

1 SECTION 29. AMENDATORY 59 O.S. 2011, Section 46.34, is
2 amended to read as follows:

3 Section 46.34. A. Each licensed landscape architect shall have
4 a seal, the image of which shall contain the name of the landscape
5 architect, the person's license number and the words, "Licensed
6 Landscape Architect, State of Oklahoma". All technical submissions
7 prepared by such landscape architect, or under the responsible
8 control of the landscape architect, shall be sealed, signed and
9 dated, which shall mean that the landscape architect was in
10 responsible control over the content of such technical submissions
11 during their preparation and has applied the required professional
12 standard of care. No licensed landscape architect may sign or seal
13 technical submissions unless they were prepared by or under the
14 responsible control of the landscape architect, except that:

15 1. The person may sign or seal those portions of the technical
16 submissions ~~that were prepared by or~~ under the responsible control
17 of persons who are licensed under the State Architectural and
18 Registered Interior Designers Act if the landscape architect has
19 reviewed and adapted in whole or in part such portions and has
20 either coordinated their preparation or integrated them into the
21 work; and

22 2. The person may sign or seal those portions of the technical
23 submissions that are not required to be prepared by or under the
24 responsible control of a landscape architect if the landscape

1 architect has reviewed and adapted in whole or in part such
2 submissions and integrated them into the work. The seal may be a
3 rubber stamp or may be generated electronically.

4 B. All drawings, specifications, plans, reports or other papers
5 or documents involving the practice of landscape architecture, shall
6 be dated and bear the signature and seal of the landscape architect
7 or landscape architects who prepared or approved them. It is
8 permissible to only sign, seal and date documents on the first sheet
9 of bound sets of drawings, with index of drawings included, title
10 page of specifications, and other drawings and contract documents in
11 a manner consistent with this act and rules of the Board.

12 C. The seal, signature and date of the landscape architect may
13 be applied to tracings to produce legible reproduction of the
14 drawings or to reprints made from the tracings. This provision,
15 however, does not in any manner modify the requirements of the other
16 subsections of this section.

17 D. The license of a landscape architect shall not permit the
18 practice of architecture, engineering or land surveying, except that
19 which is incidental, meaning less than ten percent (10%) of the
20 total cost of the project, to the practice of landscape
21 architecture. No landscape architect shall permit his or her seal
22 to be affixed to any plans, specifications or drawings if such
23 portions thereof as are involved in the practice of his or her
24 particular profession were not prepared by or under the landscape

1 architect's ~~personal and direct supervision by a regularly employed~~
2 ~~subordinate~~ responsible control.

3 SECTION 30. AMENDATORY 59 O.S. 2011, Section 46.35, is
4 amended to read as follows:

5 Section 46.35. It shall be unlawful for a landscape architect
6 to accept or to receive compensation, directly or indirectly, from
7 any person other than ~~the~~ his or her client in connection with the
8 reparation, alteration or construction of a project in relation to
9 which the landscape architect shall have accepted employment in any
10 manner.

11 SECTION 31. AMENDATORY 59 O.S. 2011, Section 46.36, is
12 amended to read as follows:

13 Section 46.36. It shall be unlawful for a landscape architect,
14 at any time, to competitively bid or hold a financial interest in
15 any entity, for a contract for the reparation, alteration, addition
16 or construction of a project for which the landscape architect has
17 prepared construction documents unless the contract is a
18 design/build contract.

19 SECTION 32. AMENDATORY 59 O.S. 2011, Section 46.38, is
20 amended to read as follows:

21 Section 46.38. A. On July 1, 2007, the effective date of
22 registration of interior designers began ~~begins~~.

23 B. Except as otherwise provided in the State Architectural and
24 Registered Interior Designers Act, no registration shall be issued

1 to any person to represent that the person is a "registered interior
2 designer" nor shall any person be allowed to use the term unless the
3 person pays to the Board the required fees and/or penalties if
4 applicable as established by the rules of the Board and:

5 1. Holds an accredited professional degree in interior design
6 from an interior design program accredited by the ~~Foundation for~~
7 ~~Interior Design Education Research,~~ Council for Interior Design
8 Accreditation or its successor, or from an interior design program
9 determined by the Board to be substantially equivalent to an
10 accredited program;

11 2. Provides proof of a minimum of two (2) years of full-time
12 diversified and appropriate experience within established standards
13 as the Board shall prescribe; and

14 3. Provides to the Board proof of passage of the examination
15 administered by the ~~National~~ Council for Interior Design
16 Qualification or its successor.

17 C. The Board may waive the requirements of the State
18 Architectural and Registered Interior Designers Act for an
19 individual who holds a current valid registration from another
20 state, jurisdiction or foreign country where the requirements for
21 registration are substantially equivalent to those required for
22 registration in this state and pays the required fees and/or
23 penalties, if applicable, to the Board.

24

1 D. This section does not apply to a person licensed to practice
2 architecture pursuant to the laws of this state.

3 E. Nothing in this act shall be construed to authorize the
4 board to regulate or prohibit persons who are rendering interior
5 design services and are not a registered interior designer under the
6 provisions of this act or to adopt regulations that would exceed the
7 powers and responsibilities expressly authorized under this act.

8 F. Certificate of title shall be subject to the following:

9 1. The use of the title "Registered Interior Designer" by a
10 partnership, firm, association, corporation, limited liability
11 company or limited liability partnership is allowed to those
12 entities listed, provided:

13 a. one or more of the directors, partners, officers,
14 shareholders, members, managers, or principals is a
15 registered interior designer and is in good standing
16 with the Board, and

17 b. the partnership, firm, association, corporation,
18 limited liability company or limited liability
19 partnership has been issued a certificate of title by
20 the Board;

21 2. The Board shall have the power to issue, revoke, deny or
22 refuse to renew a certificate of title for a partnership, firm,
23 association, corporation, limited liability company or limited
24 liability partnership as provided for in this act;

1 3. A partnership, firm, association, corporation, limited
2 liability company or limited liability partnership shall file with
3 the Board an application for a certificate of title on a form
4 approved by the Board which shall include the names, addresses,
5 state of registration and registration number of all directors,
6 partners, officers, shareholders, members, managers or principals of
7 the partnership, firm, association, corporation, limited liability
8 company or limited liability partnership. In the event there shall
9 be a change in any of these persons during the term of
10 certification, the change shall be filed with the Board within
11 thirty (30) days after the effective date of the change. If all the
12 requirements of this section and the Board's current rules have been
13 met, the Board shall issue a certificate of title to the
14 partnership, firm, association, corporation, limited liability
15 company or limited liability partnership;

16 4. The Secretary of State shall not issue a certificate of
17 incorporation or register a foreign corporation or any other entity
18 which includes among the objectives for which it is established the
19 words "Registered Interior Designer" or any modification or
20 derivation of these words, unless the Board has issued for the
21 applicant either a certificate of title for an entity, or a letter
22 indicating the eligibility for an exemption pursuant to the
23 requirements of this act. The firm applying shall supply the
24

1 certificate of title or letter from the Board with its application
2 for incorporation or registration;

3 5. The Secretary of State shall not register any trade name or
4 service mark which includes such words as set forth in paragraph 4
5 of this subsection, or modification or derivatives thereof in its
6 firm name or logotype except those entities or individuals holding
7 certificates of title issued under the provisions of this section or
8 letters of eligibility issued by the Board; and

9 6. Upon application for renewal and upon compliance with the
10 provisions of this act and the rules of the Board, a certificate of
11 title shall be renewed as provided by this act.

12 G. No registration for registered interior designers or a
13 certificate of title for a partnership, firm, association,
14 corporation, limited liability company or limited liability
15 partnership, shall be issued or renewed for longer than two (2)
16 years. A registration or certificate of title may be renewed upon
17 application, compliance with the rules of the Board and payment of
18 fees prior to or on June 30 of alternate years. The registration
19 for registered interior designers shall begin July 1, 2007, and
20 shall end June 30, 2009, unless renewed every two (2) years
21 thereafter. A new registration to replace a lost, destroyed or
22 mutilated registration shall be issued by the Board upon payment of
23 a fee established in accordance with the rules of the Board.

24

1 SECTION 33. AMENDATORY 59 O.S. 2011, Section 46.39, is
2 amended to read as follows:

3 Section 46.39. Any person who applies to become a registered
4 interior designer and remits the application and initial fees ~~within~~
5 ~~two (2) years~~ after July 1, 2007, shall be registered by the Board
6 of Governors of the Licensed Architects, Landscape Architects and
7 Registered Interior Designers if:

8 1. In lieu of the requirement of an accredited professional
9 degree, an applicant demonstrates, in accordance with ~~such~~ this act,
10 these standards and/or in compliance with Section 4100.1 et seq. of
11 this title and/or requirements as the Board adopts by rule, that the
12 applicant has the interior design education that the Board deems
13 equivalent to an accredited professional degree in interior design,
14 training and the applicant has passed the examination of the
15 ~~National~~ Council for Interior Design Qualification, or its
16 successor;

17 2. In lieu of the requirement of any professional degree, an
18 applicant may provide documented proof of diversified and
19 appropriate experience in the practice of interior design for a
20 period of six (6) years and the applicant has passed the examination
21 of the ~~National~~ Council for Interior Design Qualification, or its
22 successor; or
23
24

1 3. ~~The applicant is a licensed architect~~ The Board also has the
2 authority to issue temporary registrations while qualifying the
3 applicant.

4 SECTION 34. AMENDATORY 59 O.S. 2011, Section 46.40, is
5 amended to read as follows:

6 Section 46.40. A. The Board of Governors of the Licensed
7 Architects, Landscape Architects and Registered Interior Designers
8 of Oklahoma may waive the educational and examination requirements
9 of the State Architectural and Registered Interior Designers Act for
10 persons with diversified and appropriate experience in the practice
11 of interior design for a period of fifteen (15) years prior to July
12 1, 2007, if the person is not registered under the State
13 Architectural and Registered Interior Designers Act and not exempt
14 from the requirement for registration in order to use the title
15 "Registered Interior Designer".

16 B. The State Architectural and Registered Interior Designers
17 Act shall not be construed to prohibit or interfere with the ability
18 of a licensed architect to perform ~~these~~ activities that are
19 associated with his or her practice as provided under the provisions
20 of the State Architectural and Registered Interior Designers Act.

21 SECTION 35. AMENDATORY 59 O.S. 2011, Section 46.41, is
22 amended to read as follows:

23 Section 46.41. A. It shall be unlawful for any person or
24 entity to use the title "Registered Interior Designer" ~~or any other~~

1 ~~derivation of these words~~ to indicate that the person or entity is
2 registered under the provisions of this act, if the person is not
3 registered under this act ~~and not exempt from the requirement for~~
4 ~~registration.~~

5 B. Any person who, ~~for a fee or other direct compensation,~~
6 holds himself or herself out as a registered interior designer,
7 advertises, puts out any sign, card or drawings in this state
8 designating himself or herself as a "Registered Interior Designer"
9 or uses some form of the term in the title of a profession or
10 business without first having complied with the provisions of the
11 State Architectural and Registered Interior Designers Act shall be
12 deemed guilty of a misdemeanor.

13 SECTION 36. This act shall become effective July 1, 2014.

14 SECTION 37. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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