

1 ENGROSSED SENATE  
2 BILL NO. 394

By: Newberry of the Senate

and

Echols of the House

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6 An Act relating to the State Architectural and  
7 Registered Interior Designers Act; amending 59 O.S.  
8 2011, Section 46.7, as amended by Section 5, Chapter  
9 234, O.S.L. 2014 (59 O.S. Supp. 2014, Section 46.7),  
10 which relates to powers and duties of the Board;  
11 authorizing contracts with other agencies and non-  
12 profit corporations for certain scholarship purposes;  
13 allowing Board to set requirements; construing  
14 authority; and providing an effective date.

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

18 SECTION 1. AMENDATORY 59 O.S. 2011, Section 46.7, as  
19 amended by Section 5, Chapter 234, O.S.L. 2014 (59 O.S. Supp. 2014,  
20 Section 46.7), is amended to read as follows:

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

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

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

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

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

8           5. Determine eligibility for licenses and certificates of  
9 authority and issue them;

10          6. Determine eligibility for registration as a registered  
11 interior designer and for certificate of title and issue them;

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

14          8. Upon good cause shown, as hereinafter provided, deny the  
15 issuance of a license, registration, certificate of authority or  
16 certificate of title or suspend, revoke, refuse to renew or issue  
17 probation orders for licenses or registrations, and/or require  
18 additional educational course work and determine when the objectives  
19 have been met;

20          9. Upon proper showing, reinstate or conditionally reinstate  
21 licenses, registrations, certificates of title or certificates of  
22 authority previously issued;

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

4 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, to  
7 issue probation orders and/or require additional educational course  
8 work and determine when the objectives have been met for cause,  
9 and reinstate them;

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

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

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

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

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

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

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

23 21. Adopt rules providing for a program of continuing education  
24 in order to ensure that all licensed architects or landscape

1 architects and registered interior designers remain informed of  
2 those technical and professional subjects that the Board deems  
3 appropriate. The Board may by rule describe the methods by which  
4 the requirements of such program may be satisfied. Failure to meet  
5 such requirements of continuing education shall result in nonrenewal  
6 of the license issued to the architect or landscape architect or  
7 nonrenewal of the registration issued to the registered interior  
8 designer;

9 22. Adopt rules regarding requirements for intern development  
10 as a prerequisite for licensure or registration;

11 23. Give scholarships, as determined by the Board, to an  
12 individual or individuals advancing toward obtaining an accredited  
13 National Architectural Accreditation Board, Landscape Architectural  
14 Accreditation Board or Council for Interior Design Accreditation  
15 degree in one of these three professions in an Oklahoma higher  
16 education institution; and

17 24. Take such other action as may be reasonably necessary or  
18 appropriate to effectuate the State Architectural and Registered  
19 Interior Designers Act. The Board may, at its discretion, contract  
20 with other state agencies and non-profit corporations for the  
21 endowment, management, and administration of scholarships. The  
22 requirements of such scholarships shall be determined by the Board.  
23 However, nothing contained herein shall be construed as requiring  
24 the Board to endow or award any scholarship.

