SLS 24RS-1101

ENGROSSED

2024 Regular Session

SENATE BILL NO. 396

BY SENATOR MCMATH

ARCHITECTS. Provides for exemptions to the licensing and registration requirements for architects. (1/1/25)

 State Board of Architectural Examiners; to provide for licensing and registration requirements; to provide for exemptions; to provide relative to terms, conditions, requirements, proceedings, and procedures; and to provide for related matters. Be it enacted by the Legislature of Louisiana: Section 1. R.S. 37:155(A)(2) is hereby amended and reenacted to read as follows: §155. Exemptions A. The provisions of this Chapter, except as provided in this Section, requiring persons to be registered and licensed and forbidding the practice of architecture by unlicensed persons shall not apply to: * * * (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts 	1	AN ACT
 requirements; to provide for exemptions; to provide relative to terms, conditions, requirements, proceedings, and procedures; and to provide for related matters. Be it enacted by the Legislature of Louisiana: Section 1. R.S. 37:155(A)(2) is hereby amended and reenacted to read as follows: §155. Exemptions A. The provisions of this Chapter, except as provided in this Section, requiring persons to be registered and licensed and forbidding the practice of architecture by unlicensed persons shall not apply to: * * * (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts 	2	To amend and reenact R.S. 37:155(A)(2), relative to architects; to provide relative to the
 requirements, proceedings, and procedures; and to provide for related matters. Be it enacted by the Legislature of Louisiana: Section 1. R.S. 37:155(A)(2) is hereby amended and reenacted to read as follows: §155. Exemptions A. The provisions of this Chapter, except as provided in this Section, requiring persons to be registered and licensed and forbidding the practice of architecture by unlicensed persons shall not apply to: * * * (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts 	3	State Board of Architectural Examiners; to provide for licensing and registration
 Be it enacted by the Legislature of Louisiana: Section 1. R.S. 37:155(A)(2) is hereby amended and reenacted to read as follows: §155. Exemptions A. The provisions of this Chapter, except as provided in this Section, requiring persons to be registered and licensed and forbidding the practice of architecture by unlicensed persons shall not apply to: * * * (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts 	4	requirements; to provide for exemptions; to provide relative to terms, conditions,
 Section 1. R.S. 37:155(A)(2) is hereby amended and reenacted to read as follows: §155. Exemptions A. The provisions of this Chapter, except as provided in this Section, requiring persons to be registered and licensed and forbidding the practice of architecture by unlicensed persons shall not apply to: * * * (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts 	5	requirements, proceedings, and procedures; and to provide for related matters.
 §155. Exemptions A. The provisions of this Chapter, except as provided in this Section, requiring persons to be registered and licensed and forbidding the practice of architecture by unlicensed persons shall not apply to: * * * (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts 	6	Be it enacted by the Legislature of Louisiana:
9 A. The provisions of this Chapter, except as provided in this Section, 10 requiring persons to be registered and licensed and forbidding the practice of 11 architecture by unlicensed persons shall not apply to: 12 * * * 13 (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil 14 engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts	7	Section 1. R.S. 37:155(A)(2) is hereby amended and reenacted to read as follows:
requiring persons to be registered and licensed and forbidding the practice of architecture by unlicensed persons shall not apply to: (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts	8	§155. Exemptions
11 architecture by unlicensed persons shall not apply to: 12 * * * 13 (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil 14 engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts	9	A. The provisions of this Chapter, except as provided in this Section,
12 * * * 13 (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil 14 engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts	10	requiring persons to be registered and licensed and forbidding the practice of
 (2)(a) Subject to the provisions of Subsection B of this Section, Civil civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts 	1	architecture by unlicensed persons shall not apply to:
engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts	12	* * *
	13	(2)(a) Subject to the provisions of Subsection B of this Section, Civil civil
amendatory thereto, if such engineers do not use the designation "architect" or any	14	engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts
	15	amendatory thereto, if such engineers do not use the designation "architect" or any
16 term derived therefrom. therefrom, working on a building included in the	16	term derived therefrom. therefrom, working on a building included in the
17 following occupancy classifications listed herein:	17	following occupancy classifications listed herein:

Page 1 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	(i) For Factory Industrial or Storage occupancies consisting of		
2	Water/Sewer Treatment Facilities and Pump Houses, the total proposed		
3	occupant load shall be unlimited. The occupant load shall be defined and		
4	determined by the method set forth in the currently enforced building code.		
5	(ii) For Storage, excluding parking garages, the total proposed occupant		
6	load shall not exceed forty-nine occupants. The occupant load shall be defined		
7	and determined by the method set forth in the currently enforced building code.		
8	(iii) For High Hazard, the total proposed occupant load shall not exceed		
9	forty-nine occupants. The occupant load shall be defined and determined by the		
10	method set forth in the currently enforced building code.		
11	(iv) For Utility and Miscellaneous, the total proposed occupant load shall		
12	not exceed forty-nine occupants. The occupant load shall be defined and		
13	determined by the method set forth in the currently enforced building code.		
14	(b) The provisions of this Paragraph shall not apply to any civil engineer		
15	working on a building included in the following occupancy classifications:		
16	Factory Industrial or Storage, except as provided in Item (a)(i) of this		
17	Paragraph, Mercantile, Residential, Educational, Institutional, Assembly, or		
18	Business.		
19	* * *		
20	Section 2. This Act shall become effective on July 1, 2025; if vetoed by the governor		
21	and subsequently approved by the legislature, this Act shall become effective on the day		
following such approval by the legislature or July 1, 2025, whichever is later.			

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

	DIGEST	
SB 396 Engrossed	2024 Regular Session	McMath
Present law provides for the	he licensing and registration of architects	by the State Board of

<u>Present law</u> provides for the licensing and registration of architects by the State Board of Architectural Examiners (board).

<u>Present law</u> provides for exemptions to licensing and registration requirements for certain persons, including civil engineers licensed by the La. Professional Engineers and Land Surveying Board, provided the engineer does not use the designation "architect".

Page 2 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions. <u>Proposed law</u> retains <u>present law</u> and further adds that the civil engineer licensing and registration exemption shall apply to a licensed civil engineer who does not use the designation "architect", working on a building in the following occupancy classifications:

- (1) For Factory Industrial or Storage occupancies consisting of Water/Sewer Treatment Facilities and Pump Houses, the total proposed occupant load shall be unlimited.
- (2) For Storage, excluding parking garages, the total proposed occupant load shall not exceed 49 occupants.
- (3) For High Hazard, the total proposed occupant load shall not exceed 49 occupants.
- (4) For Utility and Miscellaneous, the total proposed occupant load shall not exceed 49 occupants.

<u>Proposed law</u> provides that the provisions of <u>proposed law</u> shall not apply to any civil engineer working on a building included in Factory Industrial or Storage, except as provided in <u>proposed law</u>, Mercantile, Residential, Educational, Institutional, Assembly, or Business.

<u>Present law</u> provides that no exempt person pursuant to <u>present law</u> shall do any of the following:

- (1) Practice any fraud, deceit, dishonest, gross negligence, misrepresentation, gross incompetence, or misconduct in the practice of architecture.
- (2) Willfully misleading or defraud any person employing him.
- (3) Violate the laws of the U.S. or any state.
- (4) Provide false testimony before the board.
- (5) Affix his seal, stamp, or name to any specification, drawing or other related document which was not prepared by him or under his responsible supervision and control, or permit his seal, stamp, or name to be affixed to any such document.
- (6) Fail to provide, within 30 calendar days of mailing of notice by certified mail, information requested by the executive director as a result of a formal complaint to the board alleging a violation of <u>present law</u>.
- (7) Use any advertising or solicitation which is false or misleading.
- (8) Violate any provision of <u>present law</u>.

Proposed law retains present law.

Present law provides for procedures for violations under present law.

Proposed law retains all procedures and violations under present law.

Effective July 1, 2025.

(Amends R.S. 37:155(A)(2))

SLS 24RS-1101

Summary of Amendments Adopted by Senate

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<u>Committee Amendments Proposed by Senate Committee on Commerce, Consumer</u>

<u>Protection, and International Affairs to the original bill</u>
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1. Changes the effective date <u>from</u> January 1, 2025 to July 1, 2025.