

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)

1 AN ACT

2 To amend and reenact R.S. 37:155(A)(2), relative to architects; to provide relative to the
3 State Board of Architectural Examiners; to provide for licensing and registration
4 requirements; to provide for exemptions; to provide relative to terms, conditions,
5 requirements, proceedings, and procedures; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:155(A)(2) is hereby amended and reenacted to read as follows:

8 §155. Exemptions

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
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**
17 **following occupancy classifications listed herein:**

1 (i) For Factory Industrial and Storage, the total proposed occupant load
2 shall be unlimited.

3 (ii) For High Hazard, the total proposed occupant load shall not exceed
4 two hundred ninety-nine occupants. The occupant load shall be defined and
5 determined by the method set forth in the currently enforced building code.

6 (iii) For Utility and Miscellaneous, the total proposed occupant load shall
7 not exceed two hundred ninety-nine occupants. The occupant load shall be
8 defined and determined by the method set forth in the currently enforced
9 building code.

10 (b) The provisions of this Paragraph shall not apply to any civil engineer
11 working on a building included in the following occupancy classifications:
12 Mercantile, Residential, Educational, Institutional, Assembly, or Business.

13 * * *

14 Section 2. This Act shall become effective on July 1, 2025.

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

DIGEST

SB 396 Reengrossed

2024 Regular Session

McMath

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

Present law 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".

Proposed law retains present law 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 the total proposed occupant load shall be unlimited.
- (2) For High Hazard, the total proposed occupant load shall not exceed 299 occupants.
- (3) For Utility and Miscellaneous, the total proposed occupant load shall not exceed 299 occupants.

Proposed law provides that the provisions of proposed law shall not apply to any civil engineer working on a building included in Mercantile, Residential, Educational, Institutional, Assembly, or Business.

Present law provides that no exempt person pursuant to present law 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 present law.
- (7) Use any advertising or solicitation which is false or misleading.
- (8) Violate any provision of present law.

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))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Changes the effective date from January 1, 2025 to July 1, 2025.

Senate Floor Amendments to engrossed bill

1. Changes the occupancy load for Factory Industrial or Storage building occupancy classifications to unlimited.
2. Increases the occupancy load for High Hazard and Utility and Miscellaneous building occupancy classifications from 49 to 299.
3. Provides that the provisions of proposed law shall not apply to any civil engineer working on a building included in Mercantile, Residential, Educational, Institutional, Assembly, or Business.
4. Make technical changes.