

House Study Bill 42 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act requiring licensure rather than registration of
2 architects practicing in this state.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.3, subsection 2, Code 2017, is amended
2 to read as follows:

3 2. A governmental entity shall have an engineer licensed
4 under [chapter 542B](#), a landscape architect licensed under
5 [chapter 544B](#), or an architect ~~registered~~ licensed under
6 [chapter 544A](#) prepare plans and specifications, and calculate
7 the estimated total cost of a proposed public improvement. A
8 governmental entity shall ensure that a sufficient number of
9 paper copies and, if available, electronic and digital copies
10 of the project's contract documents, including all drawings,
11 plans, specifications, and estimated total costs of the
12 proposed public improvement are made available for distribution
13 at no charge to prospective bidders, subcontractor bidders,
14 suppliers, and plan room services. If a deposit is required
15 as part of a paper contract documents distribution policy by
16 the public owner, the deposit shall not exceed two hundred
17 fifty dollars per set which shall be refunded upon return of
18 the contract documents within fourteen days after award of
19 the project. If the contract documents are not returned in a
20 timely manner and in a reusable condition, the deposit shall
21 be forfeited. The governmental entity shall reimburse the
22 landscape architect, architect, or professional engineer for
23 the actual costs of preparation and distribution of plans and
24 specifications.

25 Sec. 2. Section 35A.10, subsection 2, Code 2017, is amended
26 to read as follows:

27 2. The commandant and the commission shall have plans and
28 specifications prepared by the department of administrative
29 services for authorized construction, repair, or improvement
30 projects in excess of the competitive bid threshold in section
31 26.3, or as established in [section 314.1B](#). An appropriation
32 for a project shall not be expended until the department of
33 administrative services has adopted plans and specifications
34 and has completed a detailed estimate of the cost of the
35 project, prepared under the supervision of a ~~registered~~

1 licensed architect or licensed professional engineer.

2 Sec. 3. Section 100C.10, subsection 2, paragraph e, Code
3 2017, is amended to read as follows:

4 e. One professional engineer or architect licensed ~~or~~
5 ~~registered~~ in the state.

6 Sec. 4. Section 103.22, subsection 1, Code 2017, is amended
7 to read as follows:

8 1. Apply to a person licensed as an engineer pursuant to
9 chapter 542B, ~~registered~~ licensed as an architect pursuant
10 to [chapter 544A](#), licensed as a landscape architect pursuant
11 to [chapter 544B](#), licensed as a manufactured or mobile home
12 retailer or certified as a manufactured or mobile home
13 installer pursuant to [chapter 103A](#), or designated as lighting
14 certified by the national council on qualifications for
15 the lighting professions who is providing consultations and
16 developing plans concerning electrical installations and who is
17 exclusively engaged in the practice of the person's profession.

18 Sec. 5. Section 103A.19, subsection 3, Code 2017, is amended
19 to read as follows:

20 3. The specifications for all buildings to be constructed
21 after July 1, 1977, and which exceed a total volume of one
22 hundred thousand cubic feet of enclosed space that is heated
23 or cooled shall be reviewed by a ~~registered~~ licensed architect
24 or licensed engineer for compliance with applicable energy
25 efficiency standards. A statement that a review has been
26 accomplished and that the design is in compliance with the
27 energy efficiency standards shall be signed and sealed by
28 the responsible registered architect or licensed engineer.
29 This statement shall be filed with the commissioner prior
30 to construction. If the specifications relating to energy
31 efficiency for a specific structure have been approved,
32 additional buildings may be constructed from those same
33 plans and specifications without need of further approval if
34 construction begins within five years of the date of approval.
35 Alterations of a structure which has been previously approved

1 shall not require a review because of these changes, provided
2 the basic structure remains unchanged.

3 Sec. 6. Section 105.11, subsection 1, Code 2017, is amended
4 to read as follows:

5 1. Apply to a person licensed as an engineer pursuant to
6 chapter 542B, licensed as a manufactured home retailer or
7 certified as a manufactured home installer pursuant to chapter
8 103A, ~~registered~~ licensed as an architect pursuant to chapter
9 544A, or licensed as a landscape architect pursuant to chapter
10 544B who provides consultations or develops plans or other
11 work concerning plumbing, HVAC, refrigeration, sheet metal, or
12 hydronic work and who is exclusively engaged in the practice of
13 the person's profession.

14 Sec. 7. Section 218.58, subsection 2, Code 2017, is amended
15 to read as follows:

16 2. The director shall have plans and specifications
17 prepared by the department of administrative services for
18 authorized construction, repair, or improvement projects
19 costing over the competitive bid threshold in [section 26.3](#),
20 or as established in [section 314.1B](#). An appropriation for
21 a project shall not be expended until the department of
22 administrative services has adopted plans and specifications
23 and has completed a detailed estimate of the cost of the
24 project, prepared under the supervision of a ~~registered~~
25 licensed architect or licensed professional engineer. Plans
26 and specifications shall not be adopted and a project shall not
27 proceed if the project would require an expenditure of money
28 in excess of the appropriation.

29 Sec. 8. Section 358.16, subsection 2, paragraph c, Code
30 2017, is amended to read as follows:

31 *c.* However, in the event of an emergency when the delay
32 of notice and hearing might cause serious loss or injury
33 to persons or property within the district, the board of
34 trustees may perform any action which may be required under
35 this section without prior notice and hearing, and assess the

1 cost as provided in [this section](#), following notice to the
2 property owner and hearing in the time and manner provided in
3 paragraph "b". In that event the board of trustees shall,
4 by resolution, make a finding of the necessity to institute
5 emergency proceedings under [this section](#), and shall procure a
6 certificate from a competent licensed professional engineer or
7 ~~registered~~ licensed architect certifying that emergency action
8 is necessary.

9 Sec. 9. Section 384.103, subsection 2, paragraph a, Code
10 2017, is amended to read as follows:

11 a. When emergency repair of a public improvement is
12 necessary and the delay of advertising and a public letting
13 might cause serious loss or injury to the city, the chief
14 officer or official of the governing body of the city or
15 the governing body shall make a finding of the necessity to
16 institute emergency proceedings under [this section](#), and shall
17 procure a certificate from a competent licensed professional
18 engineer or ~~registered~~ licensed architect, certifying that
19 emergency repairs are necessary.

20 Sec. 10. Section 441.31, subsection 1, Code 2017, is amended
21 to read as follows:

22 1. The chairperson of the conference board shall call
23 a meeting by written notice to all of the members of the
24 board for the purpose of appointing a board of review for
25 all assessments made by the assessor. The board of review
26 may consist of either three members or five members. As
27 nearly as possible this board shall include one licensed real
28 estate broker and one ~~registered~~ licensed architect or person
29 experienced in the building and construction field. In the
30 case of a county, at least one member of the board shall be
31 a farmer. Not more than two members of the board of review
32 shall be of the same profession or occupation and members
33 of the board of review shall be residents of the assessor
34 jurisdiction. The terms of the members of the board of
35 review shall be for six years, beginning with January 1 of the

1 year following their selection. In boards of review having
2 three members the term of one member of the first board to be
3 appointed shall be for two years, one member for four years
4 and one member for six years. In the case of boards of review
5 having five members, the term of one member of the first board
6 to be appointed shall be for one year, one member for two
7 years, one member for three years, one member for four years
8 and one member for six years.

9 Sec. 11. Section 499B.6, Code 2017, is amended to read as
10 follows:

11 **499B.6 Copy of the floor plans to be filed.**

12 There shall be attached to the declaration, at the time
13 it is filed, a full and an exact copy of the plans of the
14 building, which copy shall be entered of record along with the
15 declaration. The plans shall show graphically all particulars
16 of the building including but not limited to the dimensions,
17 area, and location of common elements affording access to each
18 apartment. Other common elements, both limited and general,
19 shall be shown graphically insofar as possible and shall be
20 certified to by an engineer, architect, or land surveyor, who
21 is ~~registered or~~ licensed to practice that profession in this
22 state.

23 Sec. 12. Section 544A.1, Code 2017, is amended to read as
24 follows:

25 **544A.1 Practice regulated — creation of architectural**
26 **examining board.**

27 1. The practice of architecture affects the public health,
28 safety, and welfare and is subject to regulation and control in
29 the public interest. Only persons qualified by the laws of the
30 state are authorized to engage in the practice of architecture
31 in the state.

32 2. The architectural examining board is created within the
33 professional licensing and regulation bureau of the banking
34 division of the department of commerce. The board consists
35 of five members who possess a ~~certificate of registration~~

1 license issued under section 544A.9 and who have been in active
2 practice of architecture for not less than five years, the
3 last two of which shall have been in Iowa, and two members who
4 do not possess a ~~certificate of registration~~ license issued
5 under section 544A.9 and who shall represent the general
6 public. Members shall be appointed by the governor subject to
7 confirmation by the senate.

8 3. Professional associations or societies composed of
9 ~~registered~~ licensed architects may recommend the names of
10 potential board members to the governor but the governor is not
11 bound by the recommendations. A board member is not required
12 to be a member of any professional association or society
13 composed of ~~registered~~ licensed architects. Appointments shall
14 be for three-year terms and shall commence and end as provided
15 in section 69.19. Vacancies shall be filled for the unexpired
16 term by appointment of the governor and shall require senate
17 confirmation. Members shall serve no more than three terms or
18 nine years, whichever is less.

19 Sec. 13. Section 544A.3, Code 2017, is amended to read as
20 follows:

21 **544A.3 Records — roster.**

22 The board shall keep a record, open to public inspection
23 at all reasonable times, of its proceedings relating to the
24 issuance, refusal, renewal, suspension, and revocation of
25 ~~certificates of registration~~ licenses. This record shall
26 also contain a roster showing the name, place of business,
27 and residence, and the date and number of the ~~certificate of~~
28 registration license of every ~~registered~~ licensed architect
29 entitled to practice the profession in the state of Iowa.

30 Sec. 14. Section 544A.5, Code 2017, is amended to read as
31 follows:

32 **544A.5 Duties.**

33 The architectural examining board shall enforce this
34 chapter, shall make rules for the examination of applicants
35 for the ~~certificate of registration~~ license provided by this

1 chapter, and shall, after due public notice, hold meetings each
2 year for the purpose of examining applicants for ~~registration~~
3 licensure and the transaction of business pertaining to the
4 affairs of the board. Examinations shall be given as often
5 as deemed necessary, but not less than annually. Action at a
6 meeting shall not be taken without the affirmative votes of a
7 majority of the members of the board. The administrator of the
8 professional licensing and regulation bureau of the banking
9 division of the department of commerce shall hire and provide
10 staff to assist the board with implementing **this chapter**.

11 Sec. 15. Section 544A.8, Code 2017, is amended to read as
12 follows:

13 **544A.8 Qualification for ~~registration~~ licensure.**

14 1. Any person may apply for a ~~certificate of registration~~
15 license or may apply to take an examination for ~~certification~~
16 licensure under **this chapter**. The board shall not require that
17 the application contain a photograph of the applicant.

18 2. The board shall adopt rules governing practical training
19 and education and may adopt as its rules criteria published by
20 a national certification body recognized by the board. The
21 board may accept the accreditation decisions of a national
22 accreditation body recognized by the board.

23 3. A person applying for ~~registration~~ licensure by
24 examination, upon complying with the other requirements,
25 shall satisfactorily pass an examination in technical and
26 professional subjects prescribed by the board. The board
27 may adopt the uniform standardized examination and grading
28 procedures of a national certification body recognized by the
29 board. The examination may be conducted by representatives of
30 the board. The identity of the person taking the examination
31 shall be concealed until after the examination has been
32 graded. The board shall adopt rules regarding reexamination.
33 An applicant who has failed the examination may request in
34 writing information from the board concerning the applicant's
35 examination grade and subject areas or questions which the

1 applicant failed to answer correctly, except that if the board
2 administers a uniform, standardized examination, the board
3 shall only be required to provide the examination grade and
4 the other information concerning the applicant's examination
5 results which is available to the board.

6 4. In lieu of examination, the board may grant ~~registration~~
7 licensure by reciprocity. A person applying to the board
8 for ~~registration~~ licensure by reciprocity shall furnish
9 satisfactory evidence that the person holds qualifications
10 determined by the board to be substantially equivalent to the
11 requirements for initial ~~registration~~ licensure in accordance
12 with [section 546.10, subsection 8](#).

13 Sec. 16. Section 544A.9, Code 2017, is amended to read as
14 follows:

15 **544A.9 Registration Licensure.**

16 When the applicant has complied with the requirements as set
17 forth in [section 544A.8](#) and has paid the fees prescribed by the
18 board, the executive officer shall enroll the applicant's name
19 and address in the roster of ~~registered~~ licensed architects and
20 issue to the applicant a ~~certificate of registration~~ license,
21 signed by the officers of the board, which ~~certificate~~ license
22 shall entitle the applicant to practice as an architect in the
23 state of Iowa.

24 Sec. 17. Section 544A.10, Code 2017, is amended to read as
25 follows:

26 **544A.10 Renewals.**

27 ~~Certificates of registration~~ Licenses expire in intervals as
28 determined by the board. ~~Registered~~ Licensed architects shall
29 renew their ~~certificates of registration~~ licenses and pay a
30 renewal fee in the manner prescribed by the board. The board
31 shall prescribe the conditions and reasonable penalties for
32 renewal after a ~~certificate's~~ license's expiration date.

33 Sec. 18. Section 544A.11, subsection 1, Code 2017, is
34 amended to read as follows:

35 1. The board shall set the fees for examination, for a

1 ~~certificate of registration as an architect license~~, for
2 renewal of a certificate license, for reinstatement of a
3 certificate license, and for other activities of the board
4 pertaining to its duties. The fee for examination shall be
5 based on the annual cost of administering the examinations.
6 The fee for a ~~certificate of registration license~~ and for
7 renewal of a certificate license shall be based upon the
8 administrative costs of sustaining the board which shall
9 include, but are not limited to, the costs for all of the
10 following:

- 11 a. Per diem, expenses, and travel for board members.
- 12 b. Office facilities, supplies, and equipment.
- 13 c. Staff assistance.

14 Sec. 19. Section 544A.13, subsections 2 and 3, Code 2017,
15 are amended to read as follows:

16 2. The board may revoke any ~~certificate license~~ after
17 thirty days' notice with grant of hearing to the holder if
18 satisfactory proof is presented to the board.

19 3. Proceedings for the revocation of a ~~certificate license~~
20 shall be initiated by filing written charges against the
21 accused with the board. A time and place for the hearing
22 of the charges shall be fixed by the board if the board
23 determines that a hearing is warranted. If personal service or
24 service through counsel cannot be effected, service may be by
25 publication. At the hearing, the accused has the right to be
26 represented by counsel, to introduce evidence, and to examine
27 and cross-examine witnesses. The board may subpoena witnesses,
28 administer oaths to witnesses, and employ counsel.

29 Sec. 20. Section 544A.15, subsections 1 and 3, Code 2017,
30 are amended to read as follows:

31 1. It is unlawful for a person to engage in or to offer to
32 engage in the practice of architecture in this state or use
33 in connection with the person's name the title "architect",
34 "~~registered~~ licensed architect", or "architectural designer",
35 or to imply that the person provides or offers to provide

1 professional architectural services, or to otherwise assume,
2 use, or advertise any title, word, figure, sign, card,
3 advertisement, or other symbol or description tending to convey
4 the impression that the person is an architect or is engaged in
5 the practice of architecture unless the person is qualified by
6 ~~registration~~ licensure as provided in this chapter. However,
7 the board may by rule authorize a person to offer to perform
8 architectural services in this state prior to ~~registration~~
9 licensure in this state if the person is ~~registered~~ licensed in
10 good standing to practice architecture in at least one other
11 state or jurisdiction, the person holds a certificate from a
12 national certification council recognized by the board, the
13 person makes such disclosures as the board may require by rule,
14 and the person becomes duly ~~registered~~ licensed in this state
15 prior to otherwise practicing architecture in this state as
16 defined in section 544A.16, subsection 8 9.

17 3. a. In addition to the criminal penalty provided for in
18 this section, the board may by order impose a civil penalty
19 upon a person who is not ~~registered under this chapter~~ licensed
20 as an architect pursuant to this chapter and who does any of
21 the following:

22 (1) Engages in or offers to engage in the practice of
23 architecture.

24 (2) Uses or employs the words "architect", "~~registered~~
25 licensed architect", "architectural designer", or implies
26 authorization to provide or offer professional architectural
27 services, or otherwise uses or advertises any title, word,
28 figure, sign, card, advertisement, or other symbol or
29 description tending to convey the impression that the person
30 or entity is an architect or is engaged in the practice of
31 architecture.

32 (3) Presents or attempts to use the ~~certificate of~~
33 registration license or the seal of an architect.

34 (4) Gives false or forged evidence of any kind to the board
35 or any member of the board in obtaining or attempting to obtain

1 a ~~certificate of registration~~ license.

2 (5) Falsely impersonates any other ~~registered~~ licensed
3 architect.

4 (6) Uses or attempts to use an expired, suspended, revoked,
5 or nonexistent ~~certificate of registration~~ license.

6 (7) Knowingly aids or abets an ~~unregistered~~ unlicensed
7 person who engages in any activity identified in this paragraph
8 "a".

9 b. A civil penalty imposed shall not exceed one thousand
10 dollars for each offense. Each day of a continued violation
11 constitutes a separate offense.

12 c. In determining the amount of a civil penalty to be
13 imposed, the board may consider any of the following:

14 (1) Whether the amount imposed will be a substantial
15 economic deterrent to the violation.

16 (2) The circumstances leading to the violation.

17 (3) The severity of the violation and the risk of harm to
18 the public.

19 (4) The economic benefits gained by the violator as a result
20 of noncompliance.

21 (5) The interest of the public.

22 d. Before issuing an order under [this section](#), the board
23 shall provide the person written notice and the opportunity to
24 request a hearing on the record. The hearing must be requested
25 within thirty days of the issuance of the notice and shall
26 be conducted in the same manner as provided for disciplinary
27 proceedings involving a ~~registered~~ licensed architect.

28 e. The board, in connection with a proceeding under this
29 subsection, may issue subpoenas to compel the attendance and
30 testimony of witnesses and the disclosure of evidence, and may
31 request the attorney general to bring an action to enforce the
32 subpoena.

33 f. A person aggrieved by the imposition of a civil penalty
34 under [this subsection](#) may seek judicial review in accordance
35 with [section 17A.19](#).

1 *g.* If a person fails to pay a civil penalty within thirty
2 days after entry of an order under paragraph "a", or if the
3 order is stayed pending an appeal, within ten days after the
4 court enters a final judgment in favor of the board, the board
5 shall notify the attorney general. The attorney general may
6 commence an action to recover the amount of the penalty,
7 including reasonable attorney fees and costs.

8 *h.* An action to enforce an order under [this section](#) may be
9 joined with an action for an injunction.

10 Sec. 21. Section 544A.16, Code 2017, is amended to read as
11 follows:

12 **544A.16 Definitions.**

13 As used in [this chapter](#), unless the context otherwise
14 requires:

15 1. "*Architect*" means a person qualified to engage in the
16 practice of architecture who holds a current valid ~~registration~~
17 license under the laws of this state.

18 2. "*Board*" means the architectural examining board
19 established in [section 544A.1](#).

20 3. "*Construction*" means physical alteration of a building
21 or improvement of real estate, and includes new construction,
22 enlargements, or additions to existing construction, and
23 alterations, renovation, remodeling, restoration, preservation,
24 or other material modification to and within existing
25 construction.

26 4. "*Construction documents*" means the drawings,
27 specifications, technical submissions, and other documents upon
28 which construction is based.

29 5. "*Direct supervision and responsible charge*" means an
30 architect's personal supervisory control of work as to which
31 the architect has detailed professional knowledge. In respect
32 to preparing technical submissions, "*direct supervision and*
33 *responsible charge*" means that the architect has the exercising,
34 directing, guiding, and restraining power over the design of
35 the building or structure and the preparation of the documents,

1 and exercises professional judgment in all architectural
2 matters embodied in the documents. Merely reviewing the
3 work prepared by another person does not constitute *“direct*
4 *supervision and responsible charge”* unless the reviewer actually
5 exercises supervision and control and is in responsible charge
6 of the work.

7 6. *“Good moral character”* means a reputation for
8 trustworthiness, honesty, and adherence to professional
9 standards of conduct.

10 7. *“License”* means the license issued to an architect by the
11 board.

12 ~~7.~~ 8. *“Observation of construction site progress”* means
13 intermittent visitation to the construction site by an
14 architect or the architect’s employee for the purpose of
15 general familiarity with the progress and quality of the
16 construction and general conformance of the construction to
17 the construction documents and general compliance with the
18 applicable building codes. For the purpose of [this chapter](#),
19 such observation does not imply exhaustive or continuous
20 on-site inspections to check the quality or quantity of
21 construction work.

22 ~~8.~~ 9. *“Practice of architecture”* means performing, or
23 offering to perform, professional architectural services
24 in connection with the design, preparation of construction
25 documents, or construction of one or more buildings,
26 structures, or related projects, and the space within and
27 surrounding the buildings or structures, or the addition to
28 or alteration of one or more buildings or structures, which
29 buildings or structures have as their principal purpose human
30 occupancy or habitation, if the safeguarding of life, health,
31 or property is concerned or involved, unless the buildings or
32 structures are excepted from the requirements of [this chapter](#)
33 by [section 544A.18](#).

34 ~~9.~~ 10. *“Professional architectural services”* means
35 consultation, investigation, evaluation, programming, planning,

1 preliminary design and feasibility studies, designs, drawings,
2 specifications and other technical submissions, administration
3 of construction contracts, observation of construction site
4 progress, or other services and instruments of service related
5 to architecture. A person is performing or offering to perform
6 professional architectural services within the meaning of this
7 chapter, if the person, by verbal claim, sign, advertisement,
8 letterhead, card, or in any other way represents the person to
9 be an architect or through the use of a title implies that the
10 person is an architect.

11 ~~10.~~ 11. "*Professional consultant*" means a person who
12 is required by the laws of this state to hold a current and
13 valid ~~certificate of registration~~ license in the field of the
14 person's professional practice, and who is employed by the
15 architect to perform, or who offers to perform professional
16 services as a consultant to the architect, in connection with
17 the design, preparation of construction documents or other
18 technical submissions, or construction of one or more buildings
19 or structures, and the space within and surrounding the
20 buildings or structures.

21 ~~11.~~ 12. "*Programming*" means the identification,
22 verification, and analysis of the architectural requirements
23 precedent to the planning and design of a building or
24 structure.

25 ~~12.~~ "*Registration*" means ~~the certificate of registration~~
26 ~~issued to an architect by the board.~~

27 13. "*Technical submissions*" means the designs, drawings,
28 sketches, specifications, details, studies, and other technical
29 reports, including construction documents, prepared in the
30 course of the practice of architecture.

31 Sec. 22. Section 544A.17, subsection 2, Code 2017, is
32 amended to read as follows:

33 2. Persons acting under the instruction, control or
34 supervision of, and those executing the plans of, a ~~registered~~
35 licensed architect or a professional engineer licensed

1 under chapter 542B, provided that such ~~unregistered or~~
2 unlicensed persons shall not be placed in responsible charge of
3 architectural or professional engineering work.

4 Sec. 23. Section 544A.18, unnumbered paragraph 1, Code
5 2017, is amended to read as follows:

6 Notwithstanding the other provisions of this chapter,
7 persons who are not ~~registered~~ licensed architects may perform
8 planning and design services in connection with any of the
9 following:

10 Sec. 24. Section 544A.25, Code 2017, is amended to read as
11 follows:

12 **544A.25 Applicant — civil rights — moral character.**

13 1. An applicant is not ineligible for ~~registration~~
14 licensure because of age, citizenship, sex, race, religion,
15 marital status, or national origin, although the application
16 form may require citizenship information. Character references
17 may be required.

18 2. The board may consider the following aspects when
19 investigating an applicant's good moral character:

20 a. An applicant's conviction for commission of a felony,
21 but only if the felony relates directly to the practice of
22 architecture or to the applicant's honesty.

23 b. An applicant's misstatement, omission, or
24 misrepresentation of a material fact in connection with
25 the applicant's application for ~~registration~~ licensure in this
26 state or another jurisdiction.

27 c. An applicant's violation of a rule of conduct of a
28 jurisdiction in which the applicant has previously engaged in
29 the practice of architecture, provided that the rule of conduct
30 violated is substantially equivalent to a then existing or
31 current rule of conduct required of architects in this state.

32 d. An applicant's practice of architecture without being
33 ~~registered~~ licensed in violation of ~~registration~~ licensure laws
34 of the jurisdiction in which the practice took place.

35 3. If the applicant's background includes any of the

1 foregoing, the board may ~~register~~ license the applicant on the
2 basis of suitable evidence of reform.

3 Sec. 25. Section 544A.28, subsection 3, Code 2017, is
4 amended to read as follows:

5 3. A public official charged with the enforcement of the
6 state building code, as adopted pursuant to [section 103A.7](#),
7 or a municipal or county building code, shall not accept or
8 approve any technical submissions involving the practice of
9 architecture unless the technical submissions have been stamped
10 with the architect's seal as required by [this section](#) or unless
11 the applicant has certified on the technical submission to the
12 applicability of a specific exception under [section 544A.18](#)
13 permitting the preparation of technical submissions by a person
14 not ~~registered~~ licensed under [this chapter](#). A building permit
15 issued with respect to technical submissions which do not
16 conform to the requirements of [this section](#) is invalid.

17 Sec. 26. NEW SECTION. 544A.30 Registered architects.

18 Any person who is registered as an architect pursuant to
19 this chapter on July 1, 2017, shall be deemed to be licensed to
20 practice as an architect.

21 Sec. 27. Section 544B.12, Code 2017, is amended to read as
22 follows:

23 **544B.12 Seal.**

24 Every professional landscape architect shall have a seal,
25 approved by the board, which shall contain the name of the
26 landscape architect and the words "Professional Landscape
27 Architect, State of Iowa", and such other words or figures as
28 the board may deem necessary. All landscape architectural
29 plans and specifications, prepared by such professional
30 landscape architect or under the supervision of such
31 professional landscape architect, shall be dated and bear the
32 legible seal of such professional landscape architect. Nothing
33 contained in [this section](#) shall be construed to permit the seal
34 of a professional landscape architect to serve as a substitute
35 for the seal of a ~~registered~~ licensed architect, a licensed

1 professional engineer, or a licensed professional land surveyor
2 whenever the seal of an architect, engineer, or land surveyor
3 is required under the laws of this state.

4 Sec. 28. Section 544B.20, subsection 2, Code 2017, is
5 amended to read as follows:

6 2. To apply to an architect ~~registered~~ licensed under the
7 laws of this state.

8 Sec. 29. Section 669.2, subsection 4, paragraph c, Code
9 2017, is amended to read as follows:

10 c. "*Employee of the state*" also includes an architect
11 ~~registered~~ licensed pursuant to [chapter 544A](#) or a professional
12 engineer licensed pursuant to [chapter 542B](#) who voluntarily and
13 without compensation provides initial structural or building
14 systems inspection services for the purposes of determining
15 human occupancy at the scene of a disaster as defined in
16 section 29C.2, subsection 4. To be considered an employee of
17 the state, the architect or engineer shall be acting at the
18 request and under the direction of the commissioner of public
19 safety and in coordination with the local emergency management
20 commission established under [chapter 29C](#). For purposes of this
21 paragraph, "*compensation*" does not include reimbursement for
22 expenses.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 Currently, Code chapter 544A requires the architectural
27 examining board established within the professional licensing
28 and regulation bureau of the banking division of the department
29 of commerce to regulate the practice of architecture in Iowa.
30 Pursuant to that regulation, a person cannot engage in the
31 practice of architecture in the state unless the person is
32 issued a certificate of registration from the architectural
33 examining board.

34 This bill replaces all terms in Code chapter 544A relating
35 to registration with licensure. Architects must obtain a

1 license from the architectural examining board to engage in the
2 practice of architecture in the state instead of a certificate
3 of registration on or after July 1, 2017.

4 The bill provides that any person who is registered as an
5 architect pursuant to Code chapter 544A on July 1, 2017, is
6 deemed to be licensed to practice as an architect.

7 The bill also makes conforming changes to other Code
8 sections which refer to registration as an architect.