

## Session 109 - (1991-1992)

### **S\*0805 (Rat #0531, Act #0446 of 1992) General Bill, By J.V. Smith**

A Bill to amend Section 40-3-30, Code of Laws of South Carolina, 1976, relating to the Board of Architectural Examiners and appointment, term, and vacancies, so as to provide that the member of the State Board of Architectural Examiners who is a professor of architecture in a university or college controlled by the State also must be an architect registered in the State of South Carolina; to amend Section 40-3-60, as amended, relating to qualifications and examination of applicants for admission to practice architecture and the issuance of a certificate of registration, so as to provide that conviction of a crime of moral turpitude prevents the issuance of a certificate to an applicant; to amend Section 40-3-80, as amended, relating to application fees and examination fees under the Architects Law, so as to provide that every applicant applying for registration shall pay a nonrefundable sum, as determined by the Board, not to exceed two hundred, rather than one hundred dollars, and provide that applicants approved for examination shall pay to the Board, prior to being examined, a sum commensurate with the cost of administering the examination, as determined by the the Board, not to exceed one thousand, rather than five hundred, dollars; to amend Section 40-3-90, as amended, relating to the annual renewal fee under the Architects Law, so as to reference "architectural business corporation" and "architectural professional association/corporation", require the payment of an annual renewal fee not to exceed two hundred, rather than one hundred, dollars as determined by the Board, and provide for a penalty of fifty, rather than twenty-five dollars for renewal at any time within one year from the date of expiration upon payment of the renewal fee; to amend Section 40-3-100, as amended, relating to the practice of architecture by partnerships, corporations, or professional associations and certificate of authorization, so as to reference "architectural business corporations" and "architectural professional corporations", and delete the ceiling for the amount of the original authorization fee and provide that the fee must be as determined by the Board; to amend Section 40-3-110, as amended, relating to the required architectural seal, so as to reference "architectural business corporation" and "architectural professional corporation" and provide for changes in the provisions of law specifying where each seal must appear; to amend Section 40-3-120, as amended, relating to suspension or revocation of architectural registration certificate, procedures, restraints and civil penalties, and appeal, so as to provide that no action may be taken by the Board until the registrant has been furnished with a certain statement and a notice of the time and place of the hearing regarding charges, pursuant to the Administrative Procedures Act, rather than "at least ninety days prior to the date of the hearing"; to amend Section 40-3-125, relating to revocation or suspension of certificate of authorization under the Architects Law, so as to reference "architectural business corporation" and "architectural professional corporation"; to amend the 1976 Code by adding Section 40-3-135 so as to provide that the Board of Architectural Examiners or any member of the Board may issue subpoenas for witnesses and documents, and provide that the Circuit Court having appropriate jurisdiction shall enforce any subpoenas issued pursuant to this Section; to amend Section 40-3-150, relating to the penalties for violating the Architects Law, so as to increase the prescribed fine; to amend Section 40-3-160, relating to activities and practices which are not prohibited by Chapter 3 of Title 40, "Architects", so as to delete certain language and provide further with respect to the preparations of plans and specifications for certain buildings to which the Chapter does not apply if the drawings and specifications are signed by the authors with the true title of their occupations; to amend Section 40-3-170, relating to service of process under the Architects Law, so as to replace "executive secretary" of the Board with "executive director" of the Board, with respect to certain duties or actions; and to amend Section 40-3-180, relating to the requirement that the person issuing a building permit must verify that the architect who sealed the architectural plans and specifications is an architect registered in South Carolina and exceptions, so as to delete certain provisions and provide that it is the duty of the building official or other authority charged with the responsibility of issuing building or other similar permits of any county, municipality, or other subdivision, before issuing the permit, to be in possession of a sealed set of plans and specifications for which the seal of a registered architect is required.-amended title

<b>03/21/91</b>	<b>Senate</b>	<b>Introduced and read first time SJ-8</b>
<b>03/21/91</b>	<b>Senate</b>	<b>Referred to Committee on Labor, Commerce and Industry SJ-10</b>
<b>05/27/91</b>	<b>Senate</b>	<b>Committee report: Favorable Labor, Commerce and Industry SJ-7</b>
<b>06/05/91</b>	<b>Senate</b>	<b>Read second time SJ-89</b>
<b>06/05/91</b>	<b>Senate</b>	<b>Unanimous consent for third reading on next legislative day SJ-91</b>
<b>06/06/91</b>	<b>Senate</b>	<b>Read third time and sent to House SJ-30</b>
<b>01/14/92</b>	<b>House</b>	<b>Introduced and read first time HJ-197</b>
<b>01/14/92</b>	<b>House</b>	<b>Referred to Committee on Labor, Commerce and Industry HJ-199</b>
<b>05/14/92</b>	<b>House</b>	<b>Committee report: Favorable with amendment Labor, Commerce and Industry HJ-284</b>
<b>05/27/92</b>	<b>House</b>	<b>Amended HJ-36</b>
<b>05/27/92</b>	<b>House</b>	<b>Read second time HJ-38</b>
<b>05/28/92</b>	<b>House</b>	<b>Read third time and returned to Senate with amendments HJ-24</b>

06/02/92	Senate	Concurred in House amendment and enrolled SJ-11
06/04/92		Ratified R 531
07/01/92		Signed By Governor
07/01/92		Effective date 07/01/92
07/01/92		Act No. 446
07/15/92		Copies available