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COMMITTEE REPORT

March 7, 2017

**H. 3649**

Introduced by Reps. Crawford and Sandifer

S. Printed 3/7/17--H.

Read the first time February 2, 2017.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 3649) to amend Section 40‑3‑60, Code of Laws of South Carolina, 1976, relating to rules and officers of the Board of Architectural Examiners, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Section 40‑22‑280(B)(2) of the 1976 Code, as last amended by Act 259 of 2016, is further amended to read:

“buildings and structures ~~not requiring a permit by the authority having jurisdiction~~ less than three stories high and less than five thousand square feet in area, except that buildings and structures classified as assembly, business, educational, factory and industrial, high hazard, institutional, mercantile, storage, and utility occupancies or uses in the International Code Series, as adopted by the State of South Carolina, regardless of size or area, are not exempt from the provisions of this chapter;”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER III for Committee.

**A** **BILL**

TO AMEND SECTION 40‑3‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND OFFICERS OF THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO PROVIDE THE BOARD MAY PROVIDE ADVICE AND MAKE RECOMMENDATIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION CONCERNING THE DEVELOPMENT OF STATUTORY REVISIONS AND OTHER MATTERS AS THE DEPARTMENT REQUESTS CONCERNING THE ADMINISTRATION OF CHAPTER 3, TITLE 40; TO AMEND SECTION 40‑3‑115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO REVISE THIS JURISDICTION; AND TO AMEND SECTION 40‑3‑290, RELATING TO EXCEPTIONS FROM CHAPTER 3, TITLE 40, SO AS TO REVISE CRITERIA FOR CERTAIN EXEMPT BUILDINGS AND DETACHED SINGLE‑FAMILY OR TWO‑FAMILY DWELLINGS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑3‑60 of the 1976 Code is amended to read:

“Section 40‑3‑60. (A) The board may adopt rules governing its proceedings and shall elect a chairman, ~~vice‑chairman~~ vice chairman, and secretary who shall serve a term of one year. The board may promulgate regulations necessary to carry out the provisions of this chapter and shall adopt a seal with which all its official documents must be sealed.

(B) The board may advise and recommend action to the department in the development of statutory revisions, and such other matters as the department may request in regard to the administration of this chapter.”

SECTION 2. Section 40‑3‑115 of the 1976 Code is amended to read:

“Section 40‑3‑115. The board has jurisdiction: ~~over the actions of licensees and former licensees as provided in Section 40‑1‑115~~

(1) over practice undertaken by nonlicensed individuals and firms and the actions committed or omitted by current and former licensees during the entire period of licensure; and

(2) to act on any matter which arises during the practice authorization period of licensed practitioners and firms as provided for in Section 40‑1‑115.”

SECTION 3. Section 40‑3‑290 of the 1976 Code is amended to read:

“Section 40‑3‑290. (A) Nothing in this chapter prohibits a general contractor or a home builder from the preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions used to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirements of this chapter.

(B) Nothing in this chapter prevents or affects the practice of any other legally recognized profession.

(C) If the drawings and specifications are signed by the authors with the true title of their occupations, this chapter does not apply to the preparations of plans and specifications for:

(1) a building which is to be used for farm purposes only;

(2) ~~a building less than three stories high and containing fewer than five thousand square feet of total floor area except buildings of assembly, institutional, educational, and hazardous occupancies as defined by the Standard Building Code, regardless of area~~ buildings and structures not requiring a permit by the authority having jurisdiction, except that buildings and structures classified as assembly, business, educational, factory and industrial, high hazard, institutional, mercantile, storage, and utility occupancies or uses in the International Code Series, as adopted by the State of South Carolina, regardless of size or area, are not exempt from the provisions of this chapter;

(3) ~~a detached single‑family or two‑family dwelling, as defined in Group R3 of the Standard Building Code, regardless of size, with each unit having a grade level exit and sheds, storage buildings, and garages incidental to the dwelling;~~ one‑family and two‑family dwellings in compliance with the prescriptive requirements of the International Residential Code, as adopted by the State of South Carolina. All other buildings and structures classified as residential occupancies or uses in the International Code Series and that are beyond the scope of the International Residential Code are not exempt from the provisions of this chapter; and

(4) alterations to a building to which this chapter does not apply, if the alterations do not increase the areas and capacities beyond the limits of this chapter or affect the structural safety of the building.

(D) Nothing in this chapter prevents or affects the practice of engineering, as defined in Chapter 22 ~~of~~, Title 40, or architectural work incidental to the practice of engineering.”

SECTION 4. This act takes effect upon approval by the Governor.

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