

**LOUISIANA R.S. 37**  
**CHAPTER 3. ARCHITECTS**

§141. Policy and definitions

- A. In order to safeguard life, health, and property and to promote the public welfare, the practice of architecture in this state is reserved to those persons who have the proper qualifications and have been registered by the board.
- B. As used in this Chapter:
- (1) "Architect" means a person who is technically and legally qualified to practice architecture.
  - (2) "Board" means the State Board of Architectural Examiners.
  - (3) The "practice of architecture" is the rendering or offering of the services specified in this Paragraph in connection with the design, construction, enlargement, or alteration of a building, a group of buildings, or the space within and surrounding buildings which have human occupancy or habitation as their principal purpose. Such services shall include the following: planning; providing preliminary studies, designs, drawings, specifications, and other technical submissions; administration of construction contracts; and the coordination of any element of technical submissions prepared by others, including but not limited to engineers and landscape architects, as appropriate. The practice of architecture shall not include the practice of engineering as defined in R.S. 37:682; however, a registered architect may perform such engineering work as is incidental to the practice of architecture.
- C. The definition of the practice of architecture set forth in Paragraph B(3) of this Section may include, but shall not be construed as precluding nonlicensed persons from performing the following services: project development; feasibility studies; planning; energy consumption analysis; and interior design.

Amended by Acts 1958, No. 524, §1; Acts 1964, No. 21, §1; Acts 1972, No. 69, §1; Acts 1983, No. 472, §1; Acts 1988, No. 583, §1; Acts 1995, No. 618, §1.

§142. Board appointed by governor; removal

- A.(1) The State Board of Architectural Examiners is hereby created within the office of the governor and shall consist of seven members, five of whom shall be architects selected by the governor as provided for in Subsection B, one selected by the governor as provided for in Subsection C, and one selected by the governor as provided for in Subsection D. All nominees and appointees shall be domiciled in the state of Louisiana. The five architect members shall be appointed, one each, from the five districts provided for in Paragraph (2) of this Subsection. The governor has the right to remove any or all members of the board for inefficiency or neglect of duty.
- (2) The districts shall be composed as follows:
    - (a) District 1: Orleans, Plaquemines, and St. Bernard.

- (b) District 2: Assumption, Jefferson, Lafourche, St. Charles, St. James, St. John the Baptist, St. Tammany, Terrebonne, and Washington.
  - (c) District 3: Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, St. Helena, St. Martin, Tangipahoa, West Baton Rouge, and West Feliciana.
  - (d) District 4: Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Cameron, Evangeline, Grant, Iberia, Jefferson Davis, Lafayette, Natchitoches, Pointe Coupee, Rapides, Sabine, St. Landry, St. Mary, Vermilion, and Vernon.
  - (e) District 5: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Jackson, LaSalle, Lincoln, Madison, Morehouse, Ouachita, Red River, Richland, Tensas, Union, Webster, West Carroll, and Winn.
- B. (1) The five architect members shall be and shall remain domiciled in this state and in the district from which he is nominated and appointed. Each shall be a licensed architect and shall have practiced architecture for at least seven years. Each architect member shall be appointed by the governor from a list of three nominees elected from each of the five districts. The board shall not adopt any rule or regulation which imposes further eligibility requirements for membership on the board.
- (2) In order to determine the list of nominees for the architect members, there shall be a statewide election to elect three nominees from each district. Any licensed architect who wishes to be a candidate and have his name placed on the ballot shall send a letter by certified mail to the director of the board indicating his intent to be a candidate. The letter shall be accompanied by a curriculum vitae and shall certify that, if elected, the architect will serve.
- (3) The election for nominees shall be by mail ballot, and only one architect shall be a candidate for nomination from the same architectural firm, corporation, agency, partnership, or other entity. After the election, the three candidates from each district who received the highest numbers of votes shall have their names submitted to the governor as nominees. All licensed architects residing in this state shall be eligible to vote in the election.
- (4) The initial and subsequent elections shall be to fill vacancies as they occur. The elections shall be completed by the board within ninety days of the effective vacancy.
- C. The governor shall appoint one member of the board who shall be an architect who for seven years prior to appointment has been employed full time in architectural education, or who for seven years prior to appointment, has been an administrator of building design, construction, or design standards for government at the local, state, or national level.
- D. The governor shall appoint one member of the board who shall be a citizen of the United States who is not actively engaged in or retired from the professions of architecture, engineering, interior design, or landscape architecture, or the occupation of a contractor, or the design or construction of buildings.

Amended by Acts 1970, No. 99, §1; Acts 1972, No. 69, §1; Acts 2001, No. 8, §12, eff. July 1, 2001; Acts 2001, No. 231, §1.

§143. Term of office

- A. Each member shall serve six years, or until his successor is duly appointed, except the initial educational or regulatory member appointed pursuant to R.S. 37:142(C) shall serve a term of four years and the initial public member appointed pursuant to R.S. 37:142(D) shall serve a term of five years.
- B. The board shall advise the governor of the expiration of the term of the board members. All vacancies shall be filled in the same manner as prescribed for new members in R.S. 37:142.

Amended by Acts 1972, No. 69, §1; Acts 2001, No. 231, §1.

§144. Powers, authority, and domicile of board

- A. Four members of the board constitute a quorum for the purpose of holding examinations, granting certificates, and transacting other business within the scope of this Chapter.
- B. The certificate of the board shall entitle the holder to practice as an architect in Louisiana.
- C. The board shall have the power to adopt and amend such rules and regulations as are reasonably necessary for the proper performance of its duties, for carrying out the purposes of this Chapter, for continuing education, for the regulation of the proceedings before it, and for the regulation of the practice of architecture under the laws of this state.
- D. The procedure for the adoption, amendment, and repeal of any rule or regulation shall be in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and the rules and regulations which may be adopted by the board shall be available for public inspection at the office of the State Board of Architectural Examiners.
- E. The board may employ clerical, or other assistants as are necessary for the proper performance of its work; may make expenditures from its funds for any purpose which is reasonably necessary for the proper performance of its duties under this Chapter; and may, if necessary, or upon advice of the attorney general, hire counsel for advice, for the representation of the board against violators of this Chapter and for the defense of any action brought against the board or its members or staff.
- F. The domicile of the board shall be Baton Rouge, Louisiana.
- G. (1) The board may allocate up to ten percent of all license renewal and delinquent fees each fiscal year to a fund to be named the Louisiana Architecture Education and Research Fund. The purpose of the fund is to better prepare students for internships and future careers as architects by authorizing the board to make awards to universities in this state accredited by and in good standing with the National Architectural Accrediting Board (NAAB).
  - (2) The fund shall be used exclusively for one or more of the following in order to improve architectural education and the licensure of student interns in this state:
    - (a) Integration of practice and education in the professional NAAB degree curriculum.
    - (b) Implementation of a path to licensure resulting in an architectural license at the time of graduation from a NAAB-accredited professional degree program.

- (c) Facilitation of enrollment and completion of training requirements for the Intern Development Program (IDP) as administered by the National Council of Architectural Registration Boards (NCARB).
  - (d) Assistance of students and interns in preparation for the taking of the Architectural Registration Exam (ARE).
  - (e) Methods for raising awareness of the responsibilities of architects and of the ways that public health, safety, and welfare are impacted by architects.
- (3) An accredited university architectural program shall submit an annual proposal and budget, including any information deemed necessary by the board, to be considered for any award from the board.
  - (4) The board shall submit an annual report to the appropriate legislative oversight committee regarding its allocation of monies from the fund for the preceding fiscal year.

Amended by Acts 1958, No. 524, §1; Acts 1964, No. 21, §1; Acts 1972, No. 69, §1; Acts 1981, No. 920, §1; Acts 1983, No. 472, §1; Acts 1995, No. 238, §1; Acts 2001, No. 231, §1; Acts 2016, No. 251, §1, eff. May 26, 2016.

§145. Architects; requirements for; certificate; continuing education

- A. No person shall practice architecture in this state or use the title "architect", or any term derived therefrom, or display or use any title, sign, advertisement, or other device to indicate that such person practices or offers to practice architecture, or renders architectural services, or is an architect, unless such person shall have secured from the board a certificate of registration and license in the manner hereinafter provided, and shall thereafter comply with the provisions of the laws of the state of Louisiana governing the registration and licensing of architects.
- B. Persons licensed by the board to practice architecture may, by rule of the board, be required to earn annually up to twelve hours of board-approved continuing education pertaining to building design in connection with public health, safety, or welfare.

Acts 1983, No. 472, §1; Acts 1995, No. 238, §1; Acts 1997, No. 365, §1.

§146. Examination before board; qualifications

- A. Unless previously registered and currently licensed on September 1, 1972, no person shall practice architecture until he has passed an examination approved by the board.
- B. For the purpose of qualifying for the examination, the applicant shall present satisfactory evidence to the board that he:
  - (1) Is of good moral character.
  - (2) Has paid his debt to society if he has ever been convicted of a felony.
  - (3) Holds a professional degree from a school whose curriculum has been accredited by the National Architectural Accrediting Board.
  - (4) Is enrolled in the Intern Development Program administered by the National Council of Architectural Registration Boards.
- C. Any applicant not the holder of a first professional degree from a school whose curriculum has been accredited by the National Architectural Accrediting Board may take the examination if he has done all of the following:

- (1) Has made formal application for examination to the board prior to April 1, 1984; and
- (2) Has completed all of the education equivalency requirements for qualifying for the examination as delineated in the National Council of Architectural Registration Boards' "Circular of Information Number One"; and
- (3) Has furnished evidence to the board that he has had practical architectural work experience, requirements for which are delineated by the National Council of Architectural Registration Boards or the board.

D. The board may adopt rules and regulations in accordance with the Administrative Procedure Act governing the approval, selection, administration, participation, and completion of the examination and the Intern Development Program.

Amended by Acts 1964, No. 21, §1; Acts 1972, No. 69, §1. Acts 1983, No. 472, §1; Acts 1988, No. 583, §1; Acts 2008, No. 133, §1, eff. June 6, 2008.

#### §146.1. Licensing; architecture

To obtain an initial license to practice architecture in Louisiana, an applicant shall present satisfactory evidence to the board of practical experience of training or experience in the field of architecture. The experience shall be demonstrated only by one of the following:

- (1) Satisfactory completion of the training requirements delineated by the National Council of Architectural Registration Boards in the Intern Development Program.
- (2) A certificate record certified by the National Council of Architectural Registration Boards that the applicant is currently registered to practice architecture in another state.

Acts 2008, No. 133, §1, eff. June 6, 2008.

#### §147. Rules governing examinations

- A. The board will make all necessary rules and regulations governing the time, place, and method of conducting examinations and the grading of them, and prescribe the types of examinations to be given. The examination shall consist of technical and professional subjects that the board may prescribe.
- B. Copies of board examinations and answers of applicants shall be maintained for one year. The board examinations and the answers of applicants shall be exempt from disclosure pursuant to the Public Records Law as provided for in R.S. 44:1 et seq.

Acts 1983, No. 472, §1; Acts 1992, No. 274, §1.

#### §148. Examinations; persons exempt

- A. Upon application and the payment of a fee equivalent to that required for written examination and certificate and upon certification issued by the National Council of Architectural Registration Boards, the board may issue a certificate of registration and license to practice the profession of architecture in this state to any person who has passed a standard National Council of Architectural Registration Boards' examination if such examination is equivalent to that prescribed by the board.
- B. The board may review the examination referred to in this section to determine and decide whether the examination is equivalent to that prescribed by the board.

- C. The board may also require that the applicant under this section submit other proper evidence of his ability to engage in the practice of architecture and evidence of his continued honorable professional conduct after passing the examination before the National Council of Architectural Registration Boards.

Amended by Acts 1964, No. 21, §1; Acts 1972, No. 69, §1; Acts 1983, No. 472, §1.

#### §149. Fees

The applicant shall pay the actual cost of the examination. Upon passing all divisions of the examination, a fee to be determined by the board, not to exceed two hundred dollars, shall be charged for issuing a license. A registration fee to be determined by the board, not to exceed five hundred dollars, shall be charged to an individual domiciled outside Louisiana seeking to be registered in Louisiana. A fee to be determined by the board, not to exceed three hundred dollars, shall be charged to any corporation, professional architectural corporation as defined in R.S. 12:1086, architectural-engineering corporation as defined in R.S. 12:1171, or partnership, limited liability partnership, limited liability company, association, sole proprietorship, or other entity seeking to obtain a certificate of authority to practice architecture in Louisiana, unless such entity is exempted from the fee by the board. The board may not increase the fee for issuing a license or a certificate of authority by more than thirty dollars during any three-year period, and the board may not increase the registration fee charged to an individual domiciled outside of Louisiana seeking to be registered in Louisiana by more than fifty dollars during any three-year period.

Amended by Acts 1952, No. 195, §1; Acts 1972, No. 69, §1; Acts 1978, No. 197, §1; Acts 1988, No. 583, §1; Acts 2001, No. 55, §1; Acts 2016, No. 255, §1, eff. May 26, 2016.

#### §150. Renewal of license; renewal fees

- A. Every licensed architect domiciled in this state who desires to continue his license in force shall annually pay during the month of December a fee to be determined by the board, not to exceed two hundred dollars. Upon payment of the renewal fee, the secretary of the board shall issue him a renewal certificate for the year due.
- B. Every licensed architect domiciled outside Louisiana who desires to continue his license in force in Louisiana shall annually pay during the month of December a renewal registration fee to be determined by the board, not to exceed five hundred dollars. Upon payment of the renewal fee, the secretary of the board shall issue him a renewal certificate for the year due.
- C. The failure to renew his license in proper time shall not deprive the architect of the right of renewal thereafter. The delinquent fee to be paid upon the renewal of a license by an architect domiciled in Louisiana at any time after the month of December in the year when such renewal fee first became due shall be determined by the board, not to exceed two hundred dollars. This delinquent fee shall be in addition to the renewal registration fee set forth in Subsection A of this Section.
- D. The delinquent fee to be paid upon the renewal of a license by an architect domiciled outside Louisiana at any time after the month of December in the year when such renewal fee first became due shall be determined by the board, not to exceed five hundred dollars.

This delinquent fee shall be in addition to the renewal registration fee set forth in Subsection B of this Section.

- E. Every corporation, professional architectural corporation as defined in R.S. 12:1086, architectural-engineering corporation as defined in R.S. 12:1171, or any partnership, limited liability partnership, limited liability company, association, sole proprietorship, or other entity seeking to renew its certificate of authority in Louisiana shall, unless exempted by the board, annually pay a renewal fee to be determined by the board, not to exceed three hundred dollars, during the month of June. The board shall issue a renewal certificate of authority for the year upon receipt of the renewal fee payment.
- F. (1) The delinquency fee to be paid by any corporation, professional architectural corporation as defined in R.S. 12:1086, any architectural-engineering corporation as defined in R.S. 12:1171, or any partnership, limited liability partnership, limited liability company, association, sole proprietorship, or other entity, when the renewal fee set forth in Subsection E of this Section is paid at any time after June in the year the fee first became due, shall be determined by the board, not to exceed three hundred dollars.  
(2) The payment of any delinquency fee shall be paid in addition to the annual renewal fee.
- G. The board may not increase the renewal fees or the delinquency fees set forth in this Section by more than thirty dollars during any three-year period.

Amended by Acts 1952, No. 195, §1; Acts 1972, No. 69, §1; Acts 1978, No. 197, §1; Acts 1988, No. 583, §1; Acts 2001, No. 55, §1; Acts 2016, No. 255, §1, eff. May 26, 2016.

§151. Roster of architects to be published annually

The board shall publish annually a roster of registered architects with their addresses. This published roster shall be received as evidence in court that the names it contains are duly registered architects of this state as of a specific date on the roster.

Amended by Acts 1958, No. 524, §1; Acts 1972, No. 69, §1.

§152. Use of title "architect"; seal or stamp

- A. (1) The name of the architect followed by the title "architect" shall appear on every publication, announcement, and letterhead used by a person practicing architecture in connection with his practice.  
(2) Every registered architect shall have a seal or stamp. This shall contain his name, the words "Registered Architect, State of Louisiana," and the architect's license number. All contract drawings and specifications issued by the architect for use in this state shall be stamped or sealed. The removal of an architect's seal or stamp, and/or use of an architect's plans, unless otherwise provided by law or by written approval of the architect, shall be a violation of this Chapter and shall be subject to the penalties delineated in R.S. 37:154(B).
- B. Except in the cases contemplated by R.S. 38:2317, no architect shall affix his seal or stamp or permit it to be affixed to any specification, drawing, or other related document which was not prepared either by him or under his responsible supervision. In those cases contemplated by R.S. 38:2317, the design professional reviewing state-owned

plans, designs, specifications, or other construction documents shall remove the stamp or seal of the original architect and shall affix his stamp or seal to those documents that he has reviewed and approved for reuse. The design professional affixing his stamp or seal to documents approved for reuse shall assume all responsibilities for the documents which bear his stamp or seal. No architect shall use his seal or stamp or do any other act as an architect unless he is at the time duly registered.

Amended by Acts 1964, No. 21, §1; Acts 1972, No. 69, §1. Acts 1983, No. 472, §1; Acts 1986, No. 1012, §1.

§153. Board; disciplinary actions; revocation; suspension; probation; reprimand; admonishment; fine

- A. The board may participate in a proceeding to revoke, rescind, or suspend the certificate of, place on probation, reprimand, admonish, or fine in an amount not to exceed five thousand dollars per violation, any registrant or certificate holder found by the board to have committed any of the following acts:
- (1) Engaging in any fraud, deceit, gross incompetence, dishonesty, misrepresentation, misconduct, or gross negligence in the practice of architecture.
  - (2) Affixing 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 permitting his seal, stamp, or name to be affixed to any such document.
  - (3) Using his seal or stamp or engaging in any other act constituting the practice of architecture at a time when his certificate of registration is suspended or revoked, or at a time when his current renewal has not been obtained in accordance with the law.
  - (4) Conviction of a felony, in which case a certified copy of the record of conviction shall be conclusive evidence of such conviction.
  - (5) Wilfully misleading or defrauding any person employing him as an architect.
  - (6) Violating the provisions of this Chapter or any lawful rule or regulation adopted by the board pursuant to law.
  - (7) Practicing any fraud, deceit, material misstatement, or perjury in applying for a certificate of licensure or registration or in taking any examination or in applying for any renewal certificate provided for in this Chapter.
  - (8) Being convicted of a crime or entering a plea of guilty or nolo contendere to any criminal charge an element of which is fraud or which arises out of such individual's practice of architecture, in which case a certified copy of a record of conviction shall be conclusive evidence of such conviction.
  - (9) The refusal of the licensing authority of another state, territory, or district of the United States to issue or renew a license, permit, or certificate to practice architecture, or the revocation or suspension or other restriction imposed on a license, permit, or certificate issued by such licensing authority, on the grounds other than non-payment of a registration fee; provided that the reason for the action taken by the other licensing authority was recognized by the Louisiana board as a ground for the disciplinary action taken.
  - (10) Providing false testimony before the board.

- (11) Failing to provide, within thirty calendar days of mailing the notice by certified mail, information requested by the executive director as a result of a formal complaint to the board alleging a violation of this Chapter.
- (12) Using any advertising or solicitation which is false or misleading.
- B. Each day that a violation under Subsection A occurs shall be considered a separate violation.
- C. The board may suspend, refuse to renew, or revoke a certificate of, place on probation, reprimand, admonish, or fine in an amount not to exceed five thousand dollars, any foreign or domestic corporation if one or more of its officers, directors, employees, agents, or representatives has violated any of the above provisions.
- D. In addition to any other action, the board may assess all reasonable costs incurred in connection with a disciplinary proceeding, including investigator fees, stenographer fees and attorney fees, and court costs as a condition of probation or reinstatement of any certificate or registration suspended or revoked pursuant to this Section.
- E. The disciplinary action assessed shall be published in the annual Roster of Architects and may be released to other professional organizations relating to architecture or to the news media.
- F. Proceedings under this Section shall be begun by any person filing a written complaint with the board against the registrant or certificate holder in the form of a sworn affidavit. The board, upon its own motion, may investigate the actions of any registrant or certificate holder and file a complaint against him.
- G. If in the opinion of the board, a hearing is warranted, a time and place for the hearing of the charges shall be fixed by the board. A copy of the complaint shall be sent by the board to the registrant or certificate holder against whom a complaint has been filed at his last known address by registered or certified mail at least thirty days prior to the hearing together with a notice of the time and place of the meeting of the board at which the complaint shall be heard. Notwithstanding the provisions of this Subsection the board may summarily suspend a license if it finds that public health, safety, or welfare imperatively requires emergency action and incorporates a finding to that effect in its order, as authorized by R.S. 49:961(C). Any summary suspension shall be for a maximum period of thirty days.
- H. At the hearing the registrant or certificate holder against whom a complaint has been filed shall have the right to cross-examine witnesses against him, to produce witnesses in his defense, and to appear personally or by counsel.
- I. If the accused person or business entity fails or refuses to appear, the board may proceed to hear and determine the validity of the charges.
- J. No disciplinary action shall be taken hereunder unless a quorum of the board is present at the hearing.
- K. If the board determines to suspend the certificate of licensure or registration of any registrant or certificate holder, it shall fix the duration of the period of the suspension. If the board determines to issue a fine against the registrant or certificate holder, it shall fix the amount of such fine.

- L. The executive director of the board shall give written notice of its action by registered or certified mail to the registrant or certificate holder against whom the complaint was filed at his last known address.
- M. The board may require the production of books, papers, or other documents and may issue subpoenas to compel the attendance of witnesses to testify and to produce any relevant books, papers, or other documents in their possession before the board in any proceeding concerning any violation. The subpoenas shall be served by the sheriff of the parish where the witness resides or may be found. If any person refuses to obey any subpoena so issued, or refuses to testify or to produce any books, papers, or other documents required to be produced, the board may present its petition to the district court of the parish in which that person was served with the subpoena setting forth the facts. The court shall then issue a rule to that person requiring him to obey the subpoena or show cause why he fails to obey it. Unless that person shall show sufficient cause for failing to obey the subpoena, the court shall direct him to obey the subpoena and, upon his refusal to comply, he shall be adjudged in contempt of court and punished therefor, as the court may direct.
- N. Any registrant or certificate holder who has been subjected to disciplinary action by the board shall have the right to appeal to the district court of the parish in which the hearing was held. The appeal shall be governed by the Administrative Procedure Act R.S. 49:950 et seq.
- O. The board shall have the power to issue a new certificate of registration or license, change a revocation to a suspension, or shorten a period of suspension, or otherwise amend any disciplinary action taken hereunder upon satisfactory evidence that proper reasons for such action exist. Any person whose certificate of registration or license has been suspended shall have his certificate of registration or license automatically reinstated by the board at the end of his period of suspension upon payment of the renewal fee. No delinquent fee shall be charged for reinstatement of certificate of registration or license under the provisions of this Chapter.

Acts 1983, No. 472, §1; Acts 1991, No. 418, §1.

#### §154. Violations and penalties

- A. Any person, corporation, company, partnership, firm, business entity, or individual, who shall practice, or offer to practice, architecture in this state without being certified in accordance with the provisions of this Chapter, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board, or to any member thereof, in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant or certificate holder of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person, applicant, registrant, or certificate holder who shall violate any of the provisions of this Chapter, shall be guilty of a misdemeanor. An individual who violates any part of this Chapter shall, upon conviction, be sentenced to pay a fine of not less than three hundred dollars, nor more than fifteen hundred dollars, or be imprisoned for a period not

to exceed three months, or both. Any person, other than an individual, who violates any provision of this Chapter shall, upon conviction, be sentenced to pay a fine of not less than fifteen hundred dollars, nor more than five thousand dollars. Each day the violation occurs shall constitute a separate offense.

- B. It shall be the duty of the attorney general, all district attorneys, and all duly constituted officers of the law of this state, or any political subdivision thereof, to enforce the provisions of this Chapter and to prosecute any persons violating the provisions of this Chapter. The attorney general, or his assistant, shall act as legal advisor to the board if requested by the board and render such legal assistance as may be deemed necessary by the board in carrying out the provisions of this Chapter; however, this shall not relieve the local prosecuting officers of any duty to prosecute a violation of this Chapter.
- C. (1) (a) The board shall ensure enforcement of the provisions of this Chapter. The board may investigate any complaint relating to a violation of this Chapter and, depending upon the result of its investigation, the board may, after notice and hearing and by a majority vote of its entire membership authorized to participate in the proceeding, issue an order prohibiting the person from committing a violation of this Chapter or fine any such person for any violations of this Chapter, or both. The fine shall not exceed one thousand five hundred dollars per violation in the case of an individual or five thousand dollars per violation in the case of a person other than an individual.
- (b) The time and place for said hearing shall be fixed by the board and a copy of the charges, together with a notice of the time and place of the hearing, shall be personally served, on or mailed by certified mail, to the last known address of such person at least thirty days before the date fixed for hearing.
- (c) At the hearing, the accused shall have the right to appear in person, or by counsel, or both, to cross examine witnesses in his or its defense, and to produce evidence and witnesses in his or its defense.
- (d) If the accused person or business entity fails or refuses to appear, the board may proceed to hear and determine the validity of the charges.
- (2) Any person who violates any order of the board issued under this Chapter shall be subject to a civil penalty not in excess of fifteen hundred dollars per violation, in the case of an individual, or five thousand dollars per violation, in the case of a person other than an individual. If the penalty imposed is not paid within sixty days after the order becomes final, then the order shall constitute a judgment and shall be filed and execution issued upon in the same manner as a judgment of a court of record. Any civil penalty imposed by the board under this Section may, at its discretion, be suspended in whole or in part.
- (3) All funds derived from fines as provided in this Subsection shall be deposited in the state general fund.
- (4) Any person aggrieved by any action of the board in assessing a fine under this Subsection may appeal such action pursuant to the Administrative Procedure Act.
- D. In the alternative, after completion of any investigation by the board concerning a violation of this Chapter by a nonregistrant, the board may present its findings to the

district attorney in whose district the violation occurred and shall aid in any criminal prosecution for a violation, or the board may, if it deems necessary, initiate any civil proceeding for a violation of this Chapter directly and in its own name in any district court. This action may be instituted by any member, officer, attorney, or agent of the board.

- E. In addition to any other fine or penalty imposed under this Chapter, the board may assess all reasonable costs incurred in connection with a disciplinary proceeding, including investigator fees, stenographer fees, and attorney fees, and court costs against any person found to have violated any order of the board.

Acts 1983, No. 472, §1; Acts 1991, No. 418, §1; Acts 1997, No. 363, §1.

§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:

- (1) Officers and employees of the United States in the execution of their official duties in the practice of architecture for the federal government.
- (2) Civil engineers licensed in accordance with the terms of R.S. 37:681 through 703 or acts amendatory thereto, if such engineers do not use the designation "architect" or any term derived therefrom.
- (3) Registered architects of other states when associated with any registered architect of this state who will seal or stamp and bear professional responsibility for all specifications and other construction documents pertaining to work in this state.
- (4) Persons acting as designers for:
  - (a) Single family residences.
  - (b) Buildings or projects that are to be constructed for personal use, provided such buildings are not intended, or adaptable for public employment, assembly, or other occupancy by the public.
  - (c) Renovations or alterations of any size building which do not affect the structural integrity, or life safety, exclusive of building finishes and furnishings, or which have been preapproved by the state fire marshal where life safety is affected and does not exceed one hundred and twenty-five thousand dollars. "Life safety" as used in this Subsection shall be governed by the interpretation of the state fire marshal in accordance with the authority of R.S. 40:1561 et seq.
  - (d) New buildings and buildings with changes in occupancy classifications which do not exceed the gross floor areas in Subsection (f) of this Section.
  - (e) Building additions that do not cause the gross floor areas to exceed those in Subsection (f) of this Section.
  - (f) (i) Occupancy Classifications and Gross Floor Area Sq. Ft.

Storage	6250
Factory and Industrial	5000
Mercantile	4000
Residential	4000

Education	2500
Institutional	2500
High Hazard	1500
Assembly	2650
Business	4000
Utility and Maintenance	5000

(ii) Occupancy classifications and gross floor areas are as defined in the current editions of the codes which comprise the state uniform construction code and which are identified in R.S. 40:1730.28.

(5) Routine maintenance projects that do not exceed the contract limit for public bidding as defined in R.S. 38:2212(A)(1)(d).

B. No exempt person under Paragraph (A)(1), (2), or (3) of this Section shall do any of the following:

- (1) Practice any fraud, deceit, dishonesty, gross negligence, misrepresentation, gross incompetence, or misconduct in the practice of architecture.
- (2) Wilfully mislead or defraud any person employing him.
- (3) Violate the laws of the United States 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 thirty 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 this Chapter.
- (7) Use any advertising or solicitation which is false or misleading.
- (8) Otherwise violate any provision of this Chapter.

C. The procedures set forth in R.S. 37:154(C) shall apply to actual or alleged conduct enumerated in Subsection B of this Section, and the board may investigate a complaint alleging such conduct, issue an order to any person prohibiting such conduct after a hearing held in accordance with R.S. 37:154(C), and impose a civil penalty in accordance with R.S. 37:154(C) to any person who violates an order of the board. In the alternative, the board may present its findings to the district attorney in whose district the violation has occurred in accordance with R.S. 37:154(D).

Acts 1983, No. 472, §1; Acts 1989, No. 653, §1; Acts 1991, No. 418, §1; Acts 1995, No. 238, §1; Acts 1997, No. 365, §1; Acts 2011, No. 18, §1, eff. June 7, 2011.

#### §156. Suits by board; injunction

The board shall have the right to go into court in the jurisdiction in which the provisions of this Chapter are being violated and, upon affidavit or other proof, secure a temporary restraining order, preliminary injunction, or permanent injunction restraining and prohibiting any violation of this Chapter and the performance of any work then being done or about to be commenced in violation of this Chapter. Any person found guilty of violating any provision of this Chapter in any such proceeding shall pay to the board a civil penalty in an amount

determined by the court which may include the board's attorneys fees, costs, investigation, and other expenses, but in no event shall the fine be less than the sum of one thousand dollars.

Acts 1983, No. 472, §1; Acts 1988, No. 583, §1.

§157. Annual report

The board shall make an annual report to the governor of its transactions, with any recommendations for the advancement and betterment of the profession.

Acts 1983, No. 472, §1.

§158. Firm practice; licensure; promulgation of rules and regulation

- A. All domestic firms and foreign firms qualifying to do business in the state of Louisiana, which practice or offer to practice architecture in the state of Louisiana are subject to regulation and supervision by the board, and the board, in implementation of this Section, may issue rules and regulations further governing the conduct and activities of such firms.
- B. Within thirty days after the issuance by the secretary of state of a certificate of incorporation of a Louisiana corporation formed pursuant to the Louisiana Business Corporation Law, R.S. 12:1 et seq., the Louisiana Nonprofit Corporation Law, R.S. 12:201 et seq., or the Louisiana Architectural-Engineering Corporation Law, R.S. 12:1171 et seq., or the issuance by the secretary of state of a certificate of organization of a Louisiana limited liability company formed pursuant to the Louisiana Limited Liability Company Law, R.S. 12:1301 et seq., or the qualification of a foreign corporation or foreign limited liability company in the state of Louisiana which practices or offers to practice architecture in the state of Louisiana, the firm shall file an application for licensure with the board on a form provided by the board.
- C. Within sixty days after the firm files with the board the application required above, the board, in the event the firm is otherwise in compliance with the provisions of this Chapter and the rules and regulations issued by the board governing firms, shall issue a license. Any firm having been so licensed by the board shall have the authority to contract to deliver such architectural services, and therefore shall be subject to disciplinary action as provided in this Chapter.

Acts 2012, No. 514, §1, eff. June 5, 2012.

