

NOTICE OF INTENT

Office of the Governor Board of Architectural Examiners

General Disciplinary Guidelines (LAC 46:I.1907(E))

Notice is hereby given that the Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), proposes to amend LAC 46:I.1907(E) pertaining to its General Disciplinary Guidelines.

The proposed amendment to Rule §1907(E) concerns the fine which shall be imposed, absent aggravating or mitigating circumstances, upon firms found to have practiced architecture with an expired certificate of authority. For a firm found to have practiced architecture with an expired certificate of authority, the fine imposed will be reduced to \$250 for practicing architecture three months to six months; \$500 for practicing architecture six months to twelve months or fraction thereof, and \$500 per year for practicing architecture for more than one year or fraction thereof.

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part I. Architects

Chapter 19. Rules of Conduct: Violations §1907(E). General Disciplinary Guidelines

E. Absent aggravating or mitigating circumstances, the following discipline shall be imposed for the following violations. The maximum penalty for any violation is a \$5,000 fine per violation, revocation, and public reprimand.

Violation	Provision	Discipline

Individual practice with an expired license	R.S. 37:152.B provides that no architect shall use his seal or stamp or do any other act as an architect unless he is at the time duly registered. R.S. 37:153.A.3 prohibits practicing architecture at a time when current renewal has not been obtained in accordance with the law.	Fine is based on length of time of such practice: three (3) months to six (6) months - \$500 fine; six (6) months to twelve (12) months or fraction thereof- \$1,000 fine; after one (1) year or fraction thereof, \$1,000 fine per year. Public reprimand.
Firm practice with an expired certificate of authority	R.S. 37:154.A provides that no person, corporation, company, firm, business entity, or individual shall practice, or offer to practice, architecture in this state without being certified in accordance with the provisions of this Chapter or attempt to use an expired certificate of registration.	Fine is based on length of time of such practice: three (3) months to six (6) months - \$250 fine; six (6) months to twelve (12) months or fraction thereof - \$500 fine; after

		one (1) year or fraction thereof, \$500 fine per year. Public reprimand.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 39:484 (March 2013), amended LR _____.

Family Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on family formation, stability, or autonomy.

Poverty Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Economic Impact Statement

In accordance with R.S. 49:961(A)(2)(h)(iii) and 974.4, the following Small Business Economic Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The impact of the proposed Rule on small businesses has been considered. The proposed Rule is not anticipated to have an adverse impact on small businesses.

Small Business Regulatory Flexibility Analysis

In accordance with R.S. 49:961(A)(2)(h)(iv) and 974.5, the following Small Business Regulatory Flexibility Analysis is submitted with the Notice of Intent for publication in the *Louisiana Register*: The impact of the proposed Rule on small businesses has been considered. LSBAE has, consistent with health, safety, environmental, and economic welfare, considered utilizing regulatory methods that will accomplish the objective of applicable statutes while minimizing adverse impact on small businesses. The proposed Rule is not anticipated to have an adverse impact on small businesses.

Provider Impact Statement

In accordance with HCR 170 of the 2014 Regular Legislative Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide such services, or the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed Rule to Tyson Ducote, Executive Director, Louisiana State Board of Architectural Examiners, 9625 Fenway Avenue, Suite B, Baton Rouge, LA 70809. All comments must be submitted by 4:30 p.m. on December 15, 2023.



Tyson Ducote
Executive Director