

NOTICE OF INTENT

Office of the Governor Board of Architectural Examiners

Administration (LAC 46:I.Chapter 13)

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 many of the Sections in LAC 46:I.Chapter 13 pertaining to its administration of the licensing law. More specifically, the board gives notice that it proposes to amend LAC 46:I.1303 (Architect's Seal or Stamp); LAC 46:I.1305 (Placing of Seal or Stamp); LAC 46:I.1309 (Calculating Gross Floor Area under R.S. 37:155(4) Where Building Contains Mixed Occupancy Classifications); LAC 46:I.1311 (Interpretation of R.S. 37:155(4)(c)); LAC 46:I.1313 (Interpretation of R.S. 37:152(B)); LAC 46:I.1315 (Continuing Education), and LAC 46:I.1317 (Interpretation of R.S. 37:155(A)(3)).

Act 192 of 2024 mandated that all state agencies which make rules systematically review in accordance with stated criteria a sufficient number of rules each year so that all rules have been reviewed within a five-year period. Executive Order JML 25-038 issued April 1, 2025, mandated that by December 31, 2025, state agencies review at least 50 percent of the rules listed in the order or a minimum of 100 rules, whichever is greater. Each rule should be evaluated to determine if it is necessary, consistent with the law, aligned with the agency's mission, and otherwise complies with the legislation described therein. Rules not specifically listed in the order must be reviewed by December 31, 2026.

Applying the criteria required by Act 192 and EO JML 25-035, the board reviewed Chapter 13 of its rules (LAC 46:I.Chapter 13) and determined that many of the rules therein should be updated, clarified, and amended. The board is proposing the clarification and amendment of LAC 46:I.1303 (Architect's Seal or Stamp) and LAC 46:I.1305 (Placing of Seal or Stamp) by removing references in such rules to "stamp" and clarifying the meaning of "computer generated" and "responsible supervision"; LAC 46:I.1309 (Calculating Gross Floor Area under R.S. 37:155(4) Where Building Contains Mixed Occupancy Classifications) and LAC 46:I.1311 (Interpretation of R.S. 37:155(4)(c)) by correcting the erroneous references in such rules to sections of the licensing law and clarifying the interpretations made therein; LAC 46:I.1313 (Interpretation of R.S. 37:152(B)) by clarifying the interpretation therein; and LAC 46:I.1317 (Interpretation of R.S. 37:155(A)(3)) by clarifying its interpretation of "associates with a registered architect of this state" in the referenced section of the licensing law.

The board is proposing the modernization, clarification, and amendment of LAC 46:I.1315 (Continuing Education) Subsections A - G by clarifying and modernizing the purpose of continuing education (CE), exemptions from CE requirements, definitions, CE requirements, acceptable CE activities, allowing the earning of Continuing Education Hours (CEH) in additional CE activities, the number of CEH which may be earned in different activities, reporting requirements, and related matters.

The board is proposing that LAC 46:I.1301 (Renewal Procedure), LAC 46:I.1307 (Architect or Professional Engineer), LAC 46:I.1319 (Interpretation of R.S.

37:141(B)(3); Design/Build), and LAC 46:I.1321 (Interpretation of R.S. 37:145; Architect Engineers) be maintained without change.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part I. Architects

Chapter 13. Administration

§1303. Architect's Seal

A. The seal of the architect shall contain the name of the architect, the architect's license number, and the words "Registered Architect, State of Louisiana."

B. The architect's seal shall be circular in shape and measure approximately 1 and three-fourths inches in diameter. In addition to the words set forth in the preceding paragraph, it shall contain the state emblem. For purposes of this rule, the state emblem is the pelican.

C. Rubber seals and electronically generated seals are acceptable.

D. ...

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:564 (April 2003), amended LR 39:483 (March 2013), amended LR 52:

§1305. Placing of Seal

A. An architect shall affix his or her seal to all contract drawings and specifications requiring the services of an architect which were prepared by the architect or under the architect's responsible control. Contract drawings and specifications prepared by a consulting electrical, mechanical, structural, or other engineer shall be sealed only by the consulting engineer. Contract drawings and specifications within the meaning of this rule include construction documents prepared for bidding or for receipt of proposals, as well as such documents submitted for permitting.

B. An architect shall clearly identify the specification sections prepared by that architect or under that architect's responsible control and distinguish such sections from those prepared by consulting engineers. An architect shall affix his or her seal either to:

1. each specification section, page, or sheet prepared by or under the responsible control of the architect; or

2. the appropriate portion of any seals page in the specification document which identifies the specification sections prepared by the architect or under his or her responsible control and those sections prepared by consulting engineers. Consulting engineers shall affix their seal either to each specification section, page, or sheet prepared by that consultant, or to that portion of any seals page which identifies the specification sections prepared by that consultant.

C. If a public or governmental agency requires further certification by the architect (such as that the title or index page of the specifications be certified by the architect), the architect's further certification shall include a description of exactly what drawings and what portions or sections of the specifications were prepared by or under the architect's responsible control, and what drawings and what portions or sections of the specifications were prepared by others. In addition, the architect shall include a certification from any consulting engineers as to what drawings and what portions

or sections of the specifications were prepared by or under the responsible charge of the consulting engineers.

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:564 (April 2003), amended LR 38:1587 (July 2012), amended LR 52:

§1309. Calculating Gross Floor Area under R.S.

37:155(A)(4) Where Building Contains Mixed Occupancy Classifications

A. When a building contains more than one of the occupancy classifications set forth in R.S. 37:155(A)(4)(f), the gross floor area shall be calculated by performing the following calculations.

1. Divide the gross floor area of each of the occupancy classifications by the corresponding threshold of each, as established in R.S. 37:155(A)(4)(f). Round off the resultants to four decimal points.

2. ...

3. If the total exceeds 1.0000, the building shall be determined to exceed the gross floor areas established in R.S. 37:155(4)(f).

a. ...

b. In this example, the threshold square footage of this mixed occupancy building would be exceeded and, therefore, would not be exempt under R.S. 37:155(A)(4).

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:564 (April 2003), amended LR 52:

§1311. Interpretation of R.S. 37:155(A)(4)(c)

A. As set forth in R.S. 37:155(A)(4)(c), renovations or alterations of any size building that exceeds the gross floor area of Subsection (f) of 37:155(A)(4) which do not affect the structural integrity or life safety, exclusive of building finishes and furnishings, are exempted from the Licensing Law, R.S.37:141 et seq. Alterations – Level 1, as defined by the International Building Code, which exceed \$125,000 are exempted from the Licensing Law only if the applicant documents to the satisfaction of the state fire marshal that the project does not affect structural integrity or life safety.

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:564 (April 2003), amended LR 52:

§1313. Interpretation of R.S. 37:152(B)

A.1. Specifications, drawings, or other related documents will be deemed to have been prepared either by the architect or under the architect's responsible control only when:

a. - b. ...

c. the architect shall maintain evidence for a minimum of five years of the architect's responsible control including correspondence, time records, check prints, telephone logs, site visit logs, research done for the project, calculations, changes, and written agreements with any persons preparing the documents outside of the architect's offices accepting professional responsibility for such work;

d. - e. ...

2. If an architect fails to maintain written documentation of the items set forth above, then the architect shall be considered to be in violation of R.S. 37:152, and the architect shall be subject to the disciplinary penalties provided in R.S. 37:153.

B.1. - 2. ...

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:565 (April 2003), amended LR 52:

§1315. Continuing Education

A. Purpose and Scope. These rules provide for a continuing education program to ensure that all architects remain informed of those technical and professional subjects necessary to safeguard life, health, and promote the public welfare. These rules shall apply to all architects practicing architecture in this state.

B. Exemptions. An architect shall not be subject to these requirements if:

1. the architect is newly registered architect during their initial year of registration;

2. the architect has been granted emeritus status; or

3. the architect otherwise meets all renewal requirements and is called to active military service, has a serious medical condition, or can demonstrate to the board other like non-military hardship, then upon the board's so finding, the architect may be excused from some or all of these requirements.

C. Definitions

AIA—the American Institute of Architects.

AIA/CES—the continuing education system developed by AIA to record professional learning as a mandatory requirement for membership in the AIA.

ARE—the Architect Registration Examination prepared by the National Council of Architectural Registration Boards.

Board—the Louisiana State Board of Architectural Examiners, 9625 Fenway Avenue, Suite B, Baton Rouge, LA 70809, telephone: (225) 925-4802, website: <http://www.lsbac.com>.

Continuing Education (CE)—continuing education is a post-licensure learning that enables a registered architect to increase or update knowledge of and competence in technical and professional subjects related to the practice of architecture to safeguard the public's health, safety, and welfare.

Continuing Education Hour (CEH)—one continuous instructional hour (50 to 60 minutes of contact) spent in structured educational activities intended to increase or update the architect's knowledge and competence in health, safety, and welfare subjects. If the provider of the structured educational activities prescribes a customary time for completion of such an activity, then such prescribed time shall, unless the board finds the prescribed time to be unreasonable, be accepted as the architect's time for continuing education hour purposes irrespective of actual time spent on the activity.

Health, Safety, and Welfare (HSW) Subjects—technical and professional subjects related to the practice of architecture that the board deems appropriate to safeguard the public and that are within the following continuing education subject areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment.

a. - j. ...

NCARB—the National Council of Architectural Registration Boards.

Non-Resident Architect—an architect registered by the board and residing outside Louisiana.

Resident Architect—an architect residing in this state.

Sponsor—an individual, organization, association, institution or other entity which offers an educational activity for the purpose of fulfilling the continuing education requirements of these rules.

Structured Educational Activities—educational activities in which at least 75 percent of an activity’s content and instructional time must be devoted to HSW subjects related to the practice of architecture, including courses of study or other activities under the areas identified as HSW subjects and provided by qualified individuals or organizations whether delivered by direct contact or distance learning methods.

D. Continuing Education Requirements

1. In addition to all other requirements for license renewal, an architect must complete a minimum of 12 continuing education hours each calendar year or be exempt from these continuing education requirements as provided above. Failure to comply with these requirements may result in non-renewal of the architect’s license or other discipline as set forth below.

2. Continuing Education Hours. Continuing education hours must be completed in HSW subjects acquired in structured educational activities. Excess continuing education hours may not be credited to a future calendar year.

E. Acceptable Educational Activities

1. ...

2. Acceptable continuing educational activities in HSW subjects include the following:

a. ...

b. successfully completing health, safety, and welfare subject tutorials, short courses, correspondence courses, televised courses, video-taped courses, online programs, on-demand e-learning programs, on-demand print/other programs for which summative assessments are completed, or blended learning programs offered by a provider mentioned in the preceding Subparagraph;

c. - h. ...

3. Continuing educational activities may be acquired at any location, within Louisiana or elsewhere.

4. - 4.e. ...

F. Number of Continuing Education Hours Earned

1. Continuing education credits shall be measured in continuing education hours and shall be computed as follows.

a. ...

b. Successfully completing tutorials, short courses, correspondence courses, televised or video-taped courses, monographs, online programs, on demand e-learning programs, on-demand print/other programs for which summative assessments are completed, blended learning programs, and other self-study courses shall constitute the continuing education hours recommended by the program sponsor

c. ...

d. Authoring a published paper, article or book shall be equivalent of twelve continuing education hours.

e. ...

2. ...

3. No credit may be earned for activities of less than one CEH in duration. For activities lasting longer than one CEH, fractional CEH may be earned. As examples, where appropriate, 1 and one-half CEH, 2 and one-fourth CEH, etc. may be earned.

G. Reporting, Record Keeping and Auditing

1. An architect shall complete and submit forms as required by the board certifying that the architect has completed the required continuing education hours. The board requires that each architect complete the language on the renewal application pertaining to that architect’s continuing education activities during the calendar year immediately preceding the license renewal period. Any untrue or false statement or the use thereof with respect to course attendance or any other aspect of continuing educational activity is fraud or misrepresentation and will subject the architect to license revocation or other disciplinary action.

2. To verify attendance each attendee shall obtain an attendance certificate from the program sponsor. Additional evidence may include but is not limited to attendance receipts, canceled checks, and sponsor’s list of attendees (signed by a responsible person in charge of the activity). A log showing the activity claimed, sponsoring organization, location, duration, etc., shall be supported by other evidence. Evidence of compliance shall be retained by the architect for six years after the end of the period for which renewal was requested.

3. ...

4. The board may disallow claimed credit. If the board disallows any continuing education hours, the architect shall have 60 days from notice of such disallowance either to provide further evidence of having completed the continuing education hours disallowed or to remedy the disallowance by completing the required number of continuing education hours (but such continuing education hours shall not be used again for the next calendar year). If the board finds, after proper notice and hearing, that the architect willfully disregarded these requirements or falsified documentation of required continuing education hours, the architect may be subject to disciplinary action in accordance with the board regulations.

5. Documentation of reported continuing education hours shall be maintained by the architect for six years after the end of the period for which renewal was requested.

H. Pre-Approval of Programs

1. - 3. ...

4. The sponsor of a pre-approved program may announce or indicate as follows:

“This course has been approved by the Louisiana State Board of Architectural Examiners for a maximum of ____ Continuing Education Hours in health, safety, and welfare subjects acquired in structured educational activities.”

I. Continuing Education Disciplinary Guidelines

1. ...

2. Absent aggravating or mitigating circumstances, the following discipline shall be imposed for the following violations:

Violation	Discipline
1. Architect has enough hours but lacks in accepted setting or subject matter	Architect will be allowed 60 days to obtain needed hours. Architect will be audited the next year.

Violation	Discipline
2. Architect signs renewal, has obtained some, but not all, hours needed as of December 31. For a second offense within 5 years	Fine of \$750, and architect must obtain required hours before renewing. Architect will be audited annually the next three years. Fine of \$1,500, architect's license suspended for six months, and architect must obtain required hours before renewing. Architect will be audited annually the next three years.
3. Architect signs renewal; architect has not obtained any continuing education hours and fails to do so within sixty (60) days.	Fine up to \$5,000, and architect's license suspended until architect obtains necessary hours. Architect will be audited annually the next five years.

J. Reinstatement

1. - 2. ...

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:565 (April 2003), amended LR 33:2419 (November 2007), LR 38:1012 (April 2012), LR 40:1693 (September 2014), LR 45:752 (June 2019), amended R 52:

§1317. Interpretation of R.S. 37:155(A)(3)

A. Registered architects of other states will be deemed to be associated with a registered architect of this state on a specific project within the meaning of R.S. 37:155(A)(3) only when:

1. - 2. ...

3. the in-state architect independently performs necessary calculations, and maintains such calculations on file for work under his/her responsible control;

4. ...

5. the in-state architect maintains control over the use of the design documents just as if they were his/her original documents.

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:564 (April 2003), amended LR 52:

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 Rules have 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 Rules have 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 Analysis

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that

will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule 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 Rules have 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 Rules 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 May 15, 2026.

Tyson Ducote
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Administration**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

In order to comply with Executive Order JML 25-38, the Board of Architectural Examiners (Board) proposes to amend Sections, 1303, 1305, 1309, 1311, 1313, 1315, and 1317 of Part I, Chapter 13 (Administration), Title 46 (Professional and Occupational Standards: Architects) of the Louisiana Administrative Code. The proposed rule updates language to align with current practice. Specifically, this rule:

- Removes the word “stamp” when referring to an architect’s seal, including in the requirements for its description and placement.
- Specifies that certain alterations defined as Level 1 by the International Building Code, with a value exceeding \$125,000, are exempt from the Licensing Law if the applicant documents to the State Fire Marshal that the work does not affect structural integrity or life safety.
- Establishes a five-year requirement obligating architects to document and retain evidence of their responsible control over all work, including documents prepared outside their office.
- Removes the reference to “other similar honorific but inactive status” from the continuing education exemptions, clarifying that only architects with formally defined emeritus status are exempt.
- Updates the Board’s contact information by removing the fax number and changing the website from www.lastbdarchs.com to www.lsbac.com.
- Expands the types of courses and programs that qualify for continuing education, which count toward the required hours.
- Increases the continuing education credit for authoring a published paper, article, or book from eight hours to twelve hours.
- Establishes that continuing education credit cannot be earned for activities under one hour, while allowing fractional credit for activities exceeding one hour.
- Removes the program sponsor from disciplinary actions related to false continuing education reporting.

- Increases the record retention period from two years to six years for architects to maintain evidence of continuing education compliance.
 - Removes the option for an in-state architect to contract with licensed engineers for work under the architect's responsible control, requiring the architect to personally perform all necessary calculations and maintain full responsibility for the work under the architect's responsible control, in order for an out-of-state architect to be deemed associated with the in-state architect on a project.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
- There is no anticipated effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
- There are no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
- Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Tyson J. Ducote
Executive Director
2604#022

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office