

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 528 (Delegate Gordon. *et al.*)
Economic Matters

Signatures and Seals of Architects - Buildings in Municipal Corporations

This bill exempts persons from employing a licensed architect in connection with an alteration or repair of an existing public building or structure that is located in a municipal corporation if the alteration or repair: (1) does not exceed \$5,000 in estimated costs; (2) is limited to the interior of a building, a storefront, and exterior fixtures; and (3) does not adversely affect the structural system of the building. Further, work performed must comply with the Americans With Disabilities Act.

Any alteration or repair must be approved by a “code official” for compliance with the code’s building performance standards. However, if the code official determines that a signature and seal of a licensed architect is necessary to provide conformity with the building performance standards and otherwise to provide for public safety, the code official may require that architectural documents be signed and sealed by a licensed architect even though the estimated cost of the alterations or repairs does not exceed \$5,000. A code official is defined as a public official responsible for the review of building permit documents or the issuance of building permits.

Fiscal Summary

State Effect: Potential minimal effect. To the extent that the State elects not to employ an architect for projects under \$5,000, the State could realize an expenditure reduction. The bill would not affect the operations of the State Board of Architects or the number of licenses issued by the board, nor would it affect the operations or finances of the Department of Housing and Community Development.

Local Effect: Potential minimal. This bill gives local officials the discretion to require architectural documents to be signed and sealed by a licensed architect for projects which cost less than \$5,000. Local officials currently review building permit documents. Any additional workload associated with determining whether an architect’s signature and seal is

required could be absorbed within existing resources.

Small Business Effect: Meaningful effect.

Fiscal Analysis

Small Business Effect: Under current law, all architectural documents prepared in connection with the alteration, construction, or design of a building intended for public use must be signed and sealed by a licensed architect. The bill would exempt property owners from the requirement that an architect's signature and seal appear on any documents associated with construction projects involving alterations and repairs of existing public structures which cost less than \$5,000 and are approved by a code official.

This bill would have a positive effect on small businesses seeking to make minor building repairs or alterations. The cost of employing an architect to review the building plans ranges from hundreds of dollars to thousands of dollars depending on the size of the project. Eliminating the expense of obtaining a signature and seal from a licensed architect, as well as any associated time delays, would reduce the cost of making minor repairs and improvements. However, a small business would be required to get approval from a code official before it is exempt from the signature and seal requirement.

To the extent that code officials approve minor projects without requiring a signature and seal from a licensed architect, small architecture firms would lose business.

Information Sources: Department of Labor, Licensing, and Regulation; Department of Housing and Community Development; Department of Legislative Services

Fiscal Note History: First Reader - February 13, 1998
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