

SENATE BILL 54

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1999 Regular Session
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(PRE-FILED)

By: **Chairman, Economic and Environmental Affairs Committee**
(Departmental - Labor, Licensing and Regulation)

Requested: July 27, 1998

Introduced and read first time: January 13, 1999

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Architects - Licenses**

3 FOR the purpose of providing that a nonresident architect who wishes to practice
4 architecture in the State must obtain a license by reciprocity rather than a
5 waiver of examination; authorizing the State Board of Architects to deny a
6 license to practice architecture to an applicant, reprimand a licensee, or suspend
7 or revoke a license if an applicant or licensee has had a license to practice
8 architecture revoked or suspended by another state or country under certain
9 circumstances; and generally relating to the licensing of architects.

10 BY repealing and reenacting, with amendments,
11 Article - Business Occupations and Professions
12 Section 3-302, 3-306, and 3-311(a)(1)
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1998 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Business Occupations and Professions**

18 3-302.

19 (a) Except as otherwise provided in this title, an individual shall be licensed
20 by the Board before the individual may practice architecture in the State.

21 (b) (1) An architect who resides outside the State and meets the
22 requirements for [waiver of examination] A LICENSE BY RECIPROCITY under § 3-306
23 of this subtitle may:

24 (i) offer to practice architecture in the State; and

25 (ii) accept a commission to practice architecture in the State.

1 (2) Notwithstanding paragraph (1) of this subsection, the architect shall
2 be licensed by the Board before the architect may practice architecture in the State.

3 3-306.

4 (a) Subject to the provisions of this section, the Board may [waive any
5 examination requirement of this subtitle for] ISSUE A LICENSE BY RECIPROCITY TO
6 PRACTICE ARCHITECTURE IN THE STATE TO an individual who:

7 (1) is licensed to practice architecture in another state or country; or

8 (2) is certified by the Council UNDER SUBSECTION (C) OF THIS SECTION.

9 (b) The Board may [grant a waiver] ISSUE A LICENSE BY RECIPROCITY under
10 this section for an applicant who is licensed to practice architecture in another state
11 or country only if the applicant:

12 (1) is of good character and reputation;

13 (2) pays to the Board an application fee not exceeding \$100, as set by the
14 Board; and

15 (3) provides adequate evidence that:

16 (i) the applicant became licensed in the other state or country after
17 meeting, in that or any other state or country, requirements that were at least
18 equivalent to those then required by the laws of this State; or

19 (ii) at the time of application for [waiver of the examination
20 requirements] A LICENSE BY RECIPROCITY under this section, the applicant meets
21 the [education and experience] requirements currently required by the laws of this
22 State.

23 (c) The Board may [grant a waiver] ISSUE A LICENSE BY RECIPROCITY under
24 this section for an applicant who is certified by the Council only if:

25 (1) the applicant:

26 (i) is of good character and reputation; and

27 (ii) pays to the Board an application fee not exceeding \$100, as set
28 by the Board; and

29 (2) the Board receives from the Council a certified copy of its certificate
30 for the applicant THAT CERTIFIES THAT THE APPLICANT IS LICENSED TO PRACTICE
31 ARCHITECTURE IN ANOTHER STATE OR COUNTRY.

32 (d) An architect who is granted a [waiver of the examination requirements
33 and becomes licensed] LICENSE BY RECIPROCITY by the Board may not be required to
34 maintain licensure in any other state or country as a condition of maintaining the
35 license granted by the Board.

1 3-311.

2 (a) (1) Subject to the hearing provisions of § 3-313 of this subtitle, the
3 Board, on the affirmative vote of a majority of its authorized membership, may deny
4 a license to any applicant, reprimand any licensee, or suspend or revoke a license if:

5 (i) the applicant or licensee fraudulently or deceptively obtains or
6 renews or attempts to obtain or renew a license or permit for the applicant or licensee
7 or for another;

8 (ii) the applicant or licensee fraudulently or deceptively uses a
9 license;

10 (iii) the applicant or licensee is guilty of any fraud, gross negligence,
11 incompetence, or misconduct while practicing architecture;

12 (iv) the applicant or licensee knowingly violates any provision of the
13 code of ethics adopted by the Board;

14 (v) the applicant or licensee knowingly violates any provision of
15 this title;

16 (vi) the applicant or licensee aids or abets an unauthorized person
17 to practice architecture; [or]

18 (vii) under the laws of the United States or of any state, the
19 applicant or licensee is convicted of:

20 1. a felony; or

21 2. a misdemeanor that is directly related to the fitness and
22 qualification of the applicant or licensee to practice architecture; OR

23 (VIII) THE APPLICANT OR LICENSEE HAS HAD A LICENSE TO
24 PRACTICE ARCHITECTURE IN ANOTHER STATE REVOKED OR SUSPENDED FOR
25 GROUNDS THAT WOULD JUSTIFY REVOCATION OR SUSPENSION OF A LICENSE
26 UNDER THIS TITLE, EXCEPT FOR FAILURE TO PAY A LICENSE OR LICENSE RENEWAL
27 FEE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
29 effect October 1, 1999.