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By: Chairman, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Labor, Licensing and Regulation) Introduced and read first time: January 23, 2004 Assigned to: Education, Health, and Environmental Affairs						
Committee Report: Favorable Senate action: Adopted Read second time: February 17, 2004						
CHAPTER						
1 AN ACT concerning						
2 Occupational and Professional Licensing - Disciplinary Actions - G	rounds					
3 FOR the purpose of altering certain grounds that may be used as the basis for taking 4 certain disciplinary actions against applicants or licensees under the laws of 5 Maryland relating to the regulation of architects, certified interior designers, 6 landscape architects, professional engineers, professional land surveyors, and 7 property line surveyors; and generally relating to architects, certified interior 8 designers, landscape architects, professional engineers, professional land 9 surveyors and property line surveyors. 10 BY repealing and reenacting, with amendments,						
11 Article - Business Occupations and Professions 12 Section 3-311(a)(1), 8-310(a)(1), 9-310(a)(1), 14-317(a)(1), and 15-317(a)(1) 13 Annotated Code of Maryland 14 (2000 Replacement Volume and 2003 Supplement)						
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:						
17 Article - Business Occupations and Professions						
18 3-311.						
19 (a) (1) Subject to the hearing provisions of § 3-313 of this subtitle, the 20 Board, on the affirmative vote of a majority of its authorized membership, may deny 21 a license to any applicant, reprimand any licensee, or suspend or revoke a license if:						

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	renews or attempts to or for another;	(i) obtain or	the applicant or licensee fraudulently or deceptively obtains or renew a license or permit for the applicant or licensee	
4 5	license;	(ii)	the applicant or licensee fraudulently or deceptively uses a	
6 7	incompetence, or mise	(iii) conduct w	the applicant or licensee is guilty of any fraud, gross negligence, while practicing architecture;	
8 9	the code of ethics] RE	(iv) EGULATI	the applicant or licensee [knowingly] violates any [provision of ION adopted by the Board;	
10 11	this title;	(v)	the applicant or licensee [knowingly] violates any provision of	
12 13	to practice architectur	(vi) re;	the applicant or licensee aids or abets an unauthorized person	
14 15	applicant or licensee	(vii) is convict	under the laws of the United States or of any state, the ted of:	
16			1. a felony; or	
17 18	qualification of the ap	pplicant o	2. a misdemeanor that is directly related to the fitness and or licensee to practice architecture; or	
21	(viii) the applicant or licensee has had a license to practice architecture in another state revoked or suspended for grounds that would justify revocation or suspension of a license under this title, except for failure to pay a license fee.			
23	8-310.			
	may deny a certificat	e to any a	to the hearing provisions of § 8-312 of this subtitle, the Board applicant, reprimand any certificate holder, or suspend applicant or certificate holder:	
27 28	obtain or renew a cer	(i) tificate fo	fraudulently or deceptively obtains or renews or attempts to or the applicant or certificate holder or for another;	
29 30		(ii) "certified	fraudulently or deceptively uses the title "certified interior design services";	
31 32	of:	(iii)	under the laws of the United States or of any state, is convicted	
33			1. a felony; or	

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1 2 qualification of the appl 3 services;	2. licant or certifi	a misdemeanor that is directly related to the fitness and icate holder to perform certified interior design	
,	f the title "cert	ty of any fraud, gross negligence, incompetence, or ified interior designer" or the term "certified	
		or seals any interior design documents after a certificate a suspended or revoked by the Board;	
9 (vi) [knowingly] violates any [provision of the code of ethics] 10 REGULATION that the Board adopts; or			
11 (vii) [knov	vingly] violates any provision of this title.	
12 9-310.			
13 (a) (1) Subject to the hearing provisions of § 9-312 of this subtitle, the 14 Board, on the affirmative vote of a majority of its members then serving, may deny a 15 license to any applicant, reprimand any licensee, or suspend or revoke a license if:			
16 (i 17 attempts to obtain a lice		plicant or licensee fraudulently or deceptively obtains or plicant or licensee or for another;	
18 19 license;	ii) the ap	plicant or licensee fraudulently or deceptively uses a	
20 (i 21 applicant or licensee is		the laws of the United States or of any state, the	
22	1.	a felony; or	
2324 qualification of the app	2. dicant or licen	a misdemeanor that is directly related to the fitness and see to practice landscape architecture;	
- (plicant or licensee is guilty of gross negligence, racticing landscape architecture;	
28 architecture in another	state revoked	plicant or licensee has had a license to practice landscape or suspended by the other state for a cause that on under this title, except for the failure to pay a	
31 (v) 32 the code of ethics] REC		plicant or licensee [knowingly] violates any [provision of dopted by the Board; or	
33 (variable) 34 this title.	vii) the ap	plicant or licensee [knowingly] violates any provision of	

1	14-317.			
		ive vote	of a majo	aring provisions of § 14-319 of this subtitle, the ority of its members then serving, may deny a licensee, or suspend or revoke a license if:
5 6	attempts to obtain a li			icant or licensee fraudulently or deceptively obtains or cant or licensee or for another;
7 8	license;	(ii)	the appl	icant or licensee fraudulently or deceptively uses a
9 10	applicant or licensee			e laws of the United States or of any state, the
11			1.	a felony; or
12 13	qualification of the ap	oplicant o	2. or license	a misdemeanor that is directly related to the fitness and e to practice engineering;
14 15	incompetence, or mis			icant or licensee is guilty of gross negligence, cticing engineering;
18	engineering in anothe	er state re	voked or	icant or licensee has had a license to practice suspended by the other state for a cause that under this title, except for the failure to pay a
20 21	the code of ethics] RI			icant or licensee [knowingly] violates any [provision of pted by the Board; or
22 23	this title.	(vii)	the appl	icant or licensee [knowingly] violates any provision of
24	15-317.			
	Board, on the affirma	tive vote	of a maj	aring provisions of § 15-319 of this subtitle, the ority of its members then serving, may deny a licensee, or suspend or revoke a license if:
	renews, or attempts to or for another;	(i) o obtain o		icant or licensee fraudulently or deceptively obtains, a license or permit for the applicant or licensee
31 32	license;	(ii)	the appl	icant or licensee fraudulently or deceptively uses a
33 34	applicant or licensee	(iii) is convict		e laws of the United States or of any state, the
35			1.	a felony; or

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	qualification of the applicant o surveying;	2. a misdemeanor that is directly related to the fitness and or licensee to practice land surveying or property line				
	(iv) incompetence, or misconduct v surveying;	the applicant or licensee is guilty of gross negligence, while practicing land surveying or property line				
7 8	(v) the code of ethics] REGULAT	the applicant or licensee [knowingly] violates any [provision of ION adopted by the Board;				
9 10	(vi) this title; or	the applicant or licensee [knowingly] violates any provision of				
13	1 (vii) the applicant or licensee has had a license to practice land 2 surveying or property line surveying in another state revoked or suspended by the 3 other state for a cause that would justify revocation or suspension under this title, 4 except for the failure to pay a license fee.					
15 16	SECTION 2. AND BE IT effect October 1, 2004.	FURTHER ENACTED, That this Act shall take				