

HOUSE BILL 294

C2

(PRE-FILED)

1r1400
CF SB 93

By: **Delegate Williams**

Requested: October 30, 2020

Introduced and read first time: January 13, 2021

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Occupations and Professions – Architects – Scope of Licensure**

3 FOR the purpose of increasing the maximum estimated cost in labor and materials for the
4 alteration of a certain existing building or structure for which a person is not
5 required to employ a licensed architect under certain circumstances; altering the
6 circumstances under which a person is not required to employ a licensed architect;
7 making certain stylistic changes; making a conforming change; and generally
8 relating to the scope of licensure for architects.

9 BY repealing and reenacting, without amendments,
10 Article – Business Occupations and Professions
11 Section 3–101(a), (b), and (l) and 3–103(a) and (e)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Business Occupations and Professions
16 Section 3–103(d)
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2020 Supplement)

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

21 **Article – Business Occupations and Professions**

22 3–101.

23 (a) In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) "Architect" means an individual who practices architecture.

2 (l) (1) "Practice architecture" means to provide any service or creative work:

3 (i) in regard to an addition to, alteration of, or construction of a
4 building or an integral part of a building; and

5 (ii) that requires education, training, and experience in architecture.

6 (2) "Practice architecture" includes:

7 (i) architectural design and preparation of related documents;

8 (ii) consultation;

9 (iii) design coordination;

10 (iv) evaluation;

11 (v) investigation; and

12 (vi) planning.

13 3-103.

14 (a) Except as otherwise provided in this section, all architectural documents
15 prepared in connection with the addition, alteration, construction, or design of a building,
16 an integral part of a building, or a group of buildings which are intended for public use or
17 residential use shall be signed, sealed, and dated by a licensed architect in accordance with
18 § 3-501 of this title.

19 (d) (1) A person may not be required to employ a licensed architect in
20 connection with the alteration or repair of an existing building or structure in a municipal
21 corporation if the alteration or repair:

22 (i) **DOES NOT ADVERSELY AFFECT THE STRUCTURAL SYSTEM**
23 **OF THE BUILDING, INCLUDING FOUNDATIONS, FOOTINGS, WALLS, FLOORS, ROOFS,**
24 **BEARING PARTITIONS, BEAMS, COLUMNS, JOISTS, OR THE MECHANICAL,**
25 **ELECTRICAL, OR PLUMBING SYSTEMS; AND**

26 (ii) **1. COMPLIES WITH THE MARYLAND REHABILITATION**
27 **CODE AND does not exceed [\$5,000] \$25,000 in estimated costs, including labor and**
28 **materials[;] FOR ALTERATIONS OR REPAIRS LIMITED TO:**

29 [(ii) is limited to:

1 1.] **A. MINOR** interior alterations or **COSMETIC OR SIMILAR**
2 repairs; **AND**

3 [2. storefronts or facades;

4 3.] **B.** fixtures, cabinetwork or furniture; or

5 [4. exterior stairways, landings, decks, and ramps; and

6 (iii) does not adversely affect the structural system of the building,
7 including foundations, footings, walls, floors, roofs, bearing partitions, beams, columns,
8 joists, or the mechanical, electrical, or plumbing systems.]

9 **2. DOES NOT EXCEED \$10,000 IN ESTIMATED COSTS,**
10 **INCLUDING LABOR AND MATERIALS, FOR ALTERATIONS OR REPAIRS LIMITED TO:**

11 **A. STOREFRONTS, FACADES, OR SIMILAR**
12 **REPLACEMENTS;**

13 **B. EXTERIOR STAIRWAYS, LANDINGS, DECKS, OR RAMPS;**

14 **C. JOISTS; OR**

15 **D. A MECHANICAL, ELECTRICAL, OR PLUMBING SYSTEM.**

16 (2) Any work performed under this subsection shall be in compliance with
17 the Americans with Disabilities Act and the Maryland Building Performance Standards set
18 forth in Title 12, Subtitle 5 of the Public Safety Article.

19 (3) The exclusion provided for in this subsection shall be used only once per
20 building or structure in a 12-month period.

21 (4) A building permit issued under this subsection:

22 (i) shall contain an affidavit signed by the person who has
23 submitted the permit stating that the repair or alteration is in compliance with this
24 subsection; and

25 (ii) may not be amended or revised in any way to cause the alteration
26 or repair to exceed **[\$5,000] THE MAXIMUM AMOUNT** in total costs **AUTHORIZED UNDER**
27 **PARAGRAPH (1) OF THIS SUBSECTION**, including labor and materials.

28 (5) Any building permit issued under this subsection that contains
29 technical submissions that fail to conform to the requirements of this subsection shall be
30 invalid.

1 (e) Notwithstanding the provisions of subsection (d) of this section, a code official
2 may require that architectural documents for alterations or repairs of existing buildings or
3 structures be signed and sealed by a licensed architect if the code official determines that
4 the signature and seal of a licensed architect is necessary to provide conformity with the
5 Maryland Building Performance Standards or to otherwise provide for the health and
6 safety of the public.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2021.