

By: Senator(s) Frazier

To: Business and
Financial
Institutions

SENATE BILL NO. 2726

1 AN ACT TO AMEND SECTIONS 73-1-13 AND 73-1-21, MISSISSIPPI
2 CODE OF 1972, TO REVISE THE EXAMINATION AND REGISTRATION
3 REQUIREMENTS OF RESIDENT AND NONRESIDENT ARCHITECTS; AND FOR
4 RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 73-1-13, Mississippi Code of 1972, is
7 amended as follows:

8 73-1-13. (1) The board shall adopt rules and regulations
9 for the eligibility, examination and registration of applicants
10 desiring to practice architecture in accordance with this chapter
11 and may amend, modify or repeal such rules and regulations.

12 The board shall receive applications for registration as an
13 architect only on forms prescribed and furnished by the board and
14 upon receipt of such application may approve such applicant,
15 providing such applicant meets the following requirements:

16 (a) Graduation after a course of study of such length
17 as the board shall by regulation determine from a school or
18 college of architecture accredited by the National Architectural
19 Accrediting Board, hereinafter referred to as "NAAB," and an
20 additional period of practical experience in architectural work
21 under the control and supervision of a registered architect or
22 architects as the board by regulation shall deem appropriate; or

23 (b) Acceptable combinations of education and
24 apprenticeship as may be established by the board; provided
25 further, that such acceptable combinations of education and
26 apprenticeship shall comply with the standards of education,
27 training and character as set forth in Appendix "A" in the 1983

28 NCARB Circular of Information Number 1. Applicants for
29 examination who meet the aforementioned qualifications must submit
30 notice of intent to sit for an examination before December 30,
31 1987, by a registration authority recognized by the board. After
32 such time the only qualification for examination acceptable to the
33 board will be graduation from a NAAB accredited school or college
34 and an additional period of practical experience.

35 (c) The applicant must have passed the applicable
36 National Council of Architectural Registration Board's
37 examination;

38 (d) The applicant must have satisfied the board as to
39 the applicant's good standing in the profession and his moral
40 character. Any of the following acts shall preclude an
41 applicant's eligibility as a candidate for registration:

42 (i) Conviction by any court for commission of any
43 felony or any crime involving moral turpitude;

44 (ii) Conviction by any court of a misdemeanor
45 involving fraud, deceit or misrepresentation;

46 (iii) Misstatement or misrepresentation of fact by
47 the applicant in connection with the applicant's application for
48 registration in this state or another jurisdiction;

49 (iv) Violation of any of the rules of conduct
50 required of applicants or architects as adopted by board;

51 (v) Practicing architecture, or holding himself
52 out as capable of practicing architecture, in this state in
53 violation of the chapter.

54 The board may admit an applicant otherwise precluded from
55 consideration because of the prohibitions imposed in this
56 paragraph (d) if the board determines that the applicant has shown
57 clear and convincing evidence of rehabilitation and reform. Such
58 decision is in the sole discretion of the board and upon such
59 terms, conditions and evidence as the board may require.

60 Additionally, notwithstanding the provisions of paragraph (b)
61 of this subsection, if the applicant can provide sufficient and
62 satisfactory evidence that he is unable to obtain the
63 intern-architect development program certification, the board may
64 accept in lieu thereof certification by the applicant that he has

65 completed not less than three (3) continuous years of actual
66 engagement in architectural work in the office or offices of a
67 licensed architect or architects. Such certification shall be on
68 such terms, conditions and requirements as the board may
69 establish.

70 (2) The board may require that the applicant appear before
71 the board for a personal interview.

72 SECTION 2. Section 73-1-21, Mississippi Code of 1972, is
73 amended as follows:

74 73-1-21. Any architect residing outside this state may
75 obtain a certificate to practice in the State of Mississippi by
76 complying with Section 73-1-13, and by paying the fees prescribed
77 by the rules of the board; provided, however, no such nonresident
78 applicant shall receive a certificate to practice in this state
79 unless the applicant furnishes evidence satisfactory to the board
80 that the applicant holds a current and valid registration issued
81 by a registration authority recognized by the board, holds a
82 National Council of Architectural Registration Board's
83 certificate, has never been restrained from practicing
84 architecture, and has never had a certificate or license revoked.
85 Each nonresident applicant shall submit, as a part of the
86 application, a sworn affidavit stating that neither such applicant
87 nor any person in, or agent of, the applicant's firm has
88 practiced, is practicing or has solicited architectural work in
89 this state prior to the applicant having been licensed by the
90 board unless such person or agent holds a license to practice
91 architecture in this state. Failure to submit this affidavit is
92 just cause for disapproval of the application. Every applicant
93 for reciprocity registration shall comply fully with the
94 requirements for resident applicants * * *. The board shall have
95 the further right to exercise its discretion as to whether such
96 nonresident architect shall be issued such certificate to
97 practice.

98 SECTION 3. This act shall take effect and be in force from
99 and after July 1, 1999.