

By: Representatives Creekmore IV, Lancaster

To: Accountability,
Efficiency, Transparency

HOUSE BILL NO. 519

1 AN ACT TO AMEND SECTION 73-1-19, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE MISSISSIPPI ARCHITECT LICENSING LAWS TO AUTHORIZE
3 MULTI-DISCIPLINARY FIRMS TO INCLUDE ARCHITECTS, LANDSCAPE
4 ARCHITECTS AND ENGINEERS AS LONG AS ONE ACTIVE MEMBER OR
5 STOCKHOLDER OF THE FIRM HOLDS A CERTIFICATE TO PRACTICE
6 ARCHITECTURE IN THE STATE OF MISSISSIPPI; TO AMEND SECTION 73-2-5,
7 MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE SIGNAGE
8 REQUIREMENTS OF LANDSCAPE ARCHITECTS; TO CONFORM TO THE PRECEDING
9 SECTIONS; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 73-1-19, Mississippi Code of 1972, is
12 amended as follows:

13 73-1-19. (1) For purposes of this section, the term
14 "Business Entity" means any partnership, professional association,
15 joint enterprise, corporation, professional corporation, limited
16 liability company or professional limited liability company
17 offering architectural services in this state.

18 (2) * * * Each active partner, member or stockholder, and
19 each officer, director or manager * * * of a foreign or domestic
20 business entity of architects, architects and landscape
21 architects, architects and engineers, or architects, landscape



22 architects and engineers, must hold a certificate to practice
23 architecture, landscape architecture or engineering in that
24 member's state of residence; and, * * * each foreign * * *
25 business entity doing business in this state * * * shall have at
26 least one (1) active member or stockholder * * * who holds a
27 certificate to practice architecture in this state. No * * *
28 business entity shall be entitled to a certificate to practice
29 architecture in this state. * * *

30 (3) Nothing in this chapter shall be construed * * * to
31 prohibit a * * * business entity that is composed of one (1) or
32 several duly registered architects and duly registered landscape
33 architects, or one (1) or several duly registered professional
34 engineers * * * and duly registered architects, or one (1) or
35 several duly registered professional engineers, duly registered
36 architects and duly registered landscape architects; and it shall
37 be lawful for such * * * business entity to use in its title any
38 combination of the words * * *, "engineers and architects"
39 "architects and landscape architects", or "engineers, landscape
40 architects and architects"; provided, however, that all
41 announcements, cards, stationery, printed matter and listings
42 of * * * the business entity shall indicate * * * whether * * *
43 each member is a registered architect, * * * a registered engineer
44 or a registered landscape architect. * * * The name of * * *
45 the * * * business entity shall contain the name of at least one
46 (1) person who is registered as an architect in this state



47 and * * * no * * * person's * * * name may be placed on any
48 announcement, card, stationery, printed matter or listing * * * in
49 this state by the business entity, unless there is designated
50 thereon as to whether * * * the listed person is licensed in this
51 state. Employees of a * * * business entity who are not
52 registered as architects, * * * engineers or landscape
53 architects * * * in a business entity between architects * * *,
54 architects and engineers, architects and landscape architects, or
55 architects, landscape architects and engineers, may only use
56 business cards for that * * * business entity if the employee's
57 job title * * * is clearly stated.

58 * * *

59 (4) In any business entity with ownership by a registered
60 landscape architect or landscape architects, as described in this
61 section, a minimum of two-thirds (2/3) of the partners, joint
62 owners, stockholders, directors, officers, members, managers and
63 others, depending on the legal structure of the business entity,
64 shall be registered architects or registered professional
65 engineers and no more than one-third (1/3) of the individual or
66 collective ownership interest of the business entity may be owned
67 by the landscape architect or landscape architects, whichever is
68 applicable.

69 (5) In a business entity between one (1) or several
70 registered architects and registered professional engineers or one
71 (1) or several registered architects and registered landscape



72 architects, or one (1) or several registered architects,
73 registered engineers and registered landscape architects offering
74 architectural services in this state, any contract or agreement to
75 provide architectural services shall be executed on behalf of the
76 business entity by a partner, stockholder, director, member,
77 manager or officer of the business entity, with authority to
78 contractually bind the business entity, who is a registered
79 architect in this state. A partner, stockholder, director,
80 member, manager or officer who is an architect registered in this
81 state shall exercise responsible control over the particular
82 architectural services contracted for by the business entity and
83 that architect's name and seal shall appear on all documents
84 prepared by the business entity in its practice of architecture.
85 Other partners, stockholders, directors, members, managers or
86 officers shall not direct the professional judgment of the
87 architect in responsible control over the practice of architecture
88 by the business entity. Any business entity offering
89 architectural services in this state shall furnish the board with
90 such information about its organization, ownership and activities
91 as the board shall require through the board's rule making
92 authority under Section 73-1-9.

93 (6) It is further specifically provided that each individual
94 who renders professional services on behalf of a business entity
95 that provides architectural services, landscape architectural
96 services or engineering services in a business entity between



97 architects, architects and engineers, architects and landscape
98 architects, or architects, landscape architects and engineers is
99 personally liable for any negligent or wrongful act or omission in
100 which the individual personally participates to the same extent as
101 if the individual rendered the professional services as a sole
102 practitioner. A partner, stockholder, or member of a business
103 entity between architects, architects and engineers, architects
104 and landscape architects, or architects, landscape architects and
105 engineers is not liable for the negligence, wrongful acts,
106 misconduct, or omissions of other partners, stockholders, members,
107 agents, or employees of the business entity unless the individual
108 is at fault for failing to provide responsible control over them.

109 (7) Each person holding a certificate to practice
110 architecture in this state shall post such certificate in a
111 prominent place in the architect's place of business. Failure to
112 post the certificate shall be sufficient cause for revocation of
113 such certificate.

114 (8) The following persons and practices shall be exempted
115 from the provisions of this chapter:

116 Draftsmen, students, clerks-of-work and other employees of
117 those lawfully practicing as registered architects under the
118 provisions of this chapter acting under the instruction,
119 responsible control or supervision of * * * a licensed architect.

120 **SECTION 2.** Section 73-2-5, Mississippi Code of 1972, is
121 amended as follows:



122 73-2-5. In order to safeguard life, health and property, no
123 person shall practice landscape architecture in this state, or use
124 the title "landscape architect," or any prefix, suffix or other
125 form thereof on any sign, title, card or device to indicate that
126 such person is practicing landscape architecture or is a landscape
127 architect, unless such person shall have secured from the board a
128 license as landscape architect in the manner hereinafter provided,
129 and shall thereafter comply with the provisions of this chapter.
130 Every holder of a current license shall display it in a
131 conspicuous place in his or her principal office or place of
132 employment.

133 **SECTION 3.** This act shall take effect and be in force from
134 and after July 1, 2023.

