

By: Representative Creekmore IV

To: Business and Commerce

HOUSE BILL NO. 1269

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 BRING FORWARD SECTION
7 73-2-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE
8 AMENDMENT; AND FOR RELATED PURPOSES.

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

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

12 73-1-19. (1) For purposes of this section, the term
13 "Business Entity" means any partnership, professional association,
14 joint enterprise, corporation, professional corporation, limited
15 liability company or professional limited liability company
16 offering architectural services in this state.

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



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

29 (3) Nothing in this chapter shall be construed * * * to
30 prohibit a * * * business entity that is composed of one (1) or
31 several duly registered architects and duly registered landscape
32 architects, or one (1) or several duly registered professional
33 engineers * * * and duly registered architects, or one (1) or
34 several duly registered professional engineers, duly registered
35 architects and duly registered landscape architects; and it shall
36 be lawful for such * * * business entity to use in its title any
37 combination of the words * * *, "engineers and architects"
38 "architects and landscape architects", or "engineers, landscape
39 architects and architects"; provided, however, that all
40 announcements, cards, stationery, printed matter and listings
41 of * * * the business entity shall indicate * * * whether * * *
42 each member is a registered architect, * * * a registered engineer
43 or a registered landscape architect * * *, and shall * * *
44 disclose the name of at least one (1) person who is * * * licensed
45 as an architect in this state * * *. Employees of a * * *
46 business entity who are not registered as architects, * * *



47 engineers or landscape architects * * * in a business entity
48 between architects * * *, architects and engineers, architects and
49 landscape architects, or architects, landscape architects and
50 engineers, may only use business cards for that * * * business
51 entity if the employee's job title * * * is clearly stated.

52 * * *

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

63 (5) In a business entity between one (1) or several
64 registered architects and registered professional engineers or one
65 (1) or several registered architects and registered landscape
66 architects, or one (1) or several registered architects,
67 registered engineers and registered landscape architects engaging
68 in the practice of architectural services in this state, any
69 contract or agreement to provide architectural services as the
70 primary design professional shall be executed on behalf of the
71 business entity by a partner, stockholder, director, member,



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

87 (6) No business entity shall be relieved of responsibility
88 for the conduct or acts of its agents, employees, officers,
89 partners, stockholders, directors, members or managers. No
90 individual practicing architecture under this chapter shall be
91 relieved of responsibility for architectural services performed by
92 reason of employment or other relationship with any such business
93 entity. A partner, stockholder, or member of a business entity
94 between architects, architects and engineers, architects and
95 landscape architects, or architects, landscape architects and
96 engineers is not liable for the negligence, wrongful acts,



97 misconduct, or omissions of other partners, stockholders, members,
98 agents, or employees of the business entity unless the individual
99 is at fault for failing to provide responsible control over them.

100 (7) Each person holding a certificate to practice
101 architecture in this state shall post such certificate in a
102 prominent place in the architect's place of business. Failure to
103 post the certificate shall be sufficient cause for revocation of
104 such certificate.

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

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

111 **SECTION 2.** Section 73-2-5, Mississippi Code of 1972, is
112 brought forward as follows:

113 73-2-5. No person shall practice landscape architecture in
114 this state or use the title "landscape architect" on any sign,
115 title, card or device to indicate that such person is practicing
116 landscape architecture or is a landscape architect, unless such
117 person shall have secured from the board a license as landscape
118 architect in the manner hereinafter provided, and shall thereafter
119 comply with the provisions of this chapter. Every holder of a
120 current license shall display it in a conspicuous place in his
121 principal office or place of employment.



122 **SECTION 3.** This act shall take effect and be in force from
123 and after July 1, 2024.

