An Act

ENROLLED SENATE
BILL NO. 394

By: Newberry and Pittman of the Senate

and

Echols of the House

An Act relating to the State Architectural and Registered Interior Designers Act; amending 59 O.S. 2011, Section 46.7, as amended by Section 5, Chapter 234, O.S.L. 2014 (59 O.S. Supp. 2014, Section 46.7), which relates to powers and duties of the Board; authorizing contracts with other agencies and non-profit corporations for certain scholarship purposes; allowing Board to set requirements; construing authority; and providing an effective date.

SUBJECT: State Architectural and Registered Interior Designers Act

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2011, Section 46.7, as amended by Section 5, Chapter 234, O.S.L. 2014 (59 O.S. Supp. 2014, Section 46.7), is amended to read as follows:

Section 46.7. In addition to the other powers and duties imposed by law, the Board shall have the power and duty to:

1. Prescribe such rules and to make such orders, as it may deem necessary or expedient in the performance of its duties;

2. Prepare, conduct, and grade examinations of persons who shall apply for the issuance of licenses and registrations to them, and to promulgate such rules with reference thereto as it may deem proper as a portion used to determine competency for the issuance of licenses or registrations;

3. Work with nationally recognized licensing and registration organizations to prepare, conduct, and grade examinations, written or oral, of persons who shall apply for the issuance of licenses or registrations;

4. Determine the satisfactory passing score on examinations and issue licenses and registrations to persons who shall have passed examinations, or who shall otherwise be entitled thereto;

5. Determine eligibility for licenses and certificates of authority and issue them;

6. Determine eligibility for registration as a registered interior designer and for certificate of title and issue them;

7. Promulgate rules to govern the issuing of reciprocal licenses and registrations;

8. Upon good cause shown, as hereinafter provided, deny the issuance of a license, registration, certificate of authority or certificate of title or suspend, revoke, refuse to renew or issue probation orders for licenses or registrations, and/or require additional educational course work and determine when the objectives have been met;

9. Upon proper showing, reinstate or conditionally reinstate licenses, registrations, certificates of title or certificates of authority previously issued;

10. Review, affirm, reverse, vacate or modify its order with respect to any such denial, suspension, revocation, probation and/or educational course work requirements or refusal to renew;

11. Prescribe rules governing proceedings for the denial of issuance of a license, registration, certificate of authority or certificate of title, suspension, revocation or refusal to renew, to issue probation orders and/or require additional educational course work and determine when the objectives have been met for cause, and reinstate them;

12. Prescribe such penalties, as it may deem proper, to be assessed against holders of licenses, registrations, certificates of

authority or certificates of title for the failure to pay the biennial fee hereinafter provided for;

13. Levy civil penalties plus the legal costs incurred by the Board to prosecute the case against any person or entity who shall violate any of the provisions of the State Architectural and Registered Interior Designers Act, or any rule promulgated pursuant thereto;

14. Obtain an office, secure such facilities, and employ, direct, discharge and define the duties and set the salaries of such office personnel and set the salaries of such unclassified and exempt office personnel as deemed necessary by the Board;

15. Initiate disciplinary action, prosecute and seek injunctions against any person or entity who has violated any of the provisions of the State Architectural and Registered Interior Designers Act or any rule of the Board promulgated pursuant to said act and against the owner/developer of the building type not exempt;

16. Investigate alleged violations of the State Architectural and Registered Interior Designers Act or of the rules, orders or final decisions of the Board;

17. Promulgate rules of conduct governing the practice of licensed architects and landscape architects;

18. Keep accurate and complete records of proceedings, and certify the same as may be appropriate;

19. Whenever it deems it appropriate, confer with the Attorney General or the Attorney General's assistants in connection with all legal matters and questions. The Board may also retain an attorney who is licensed to practice law in this state. The attorney shall serve at the pleasure of the Board for such compensation as may be provided by the Board. The attorney shall advise the Board and perform legal services for the Board with respect to any matters properly before the Board. In addition to the above, the Board may employ hearing examiners to conduct administrative hearings under the provisions of the Administrative Procedures Act;

20. Prescribe by rules, fees to be charged as required by this act;

21. Adopt rules providing for a program of continuing education in order to ensure that all licensed architects or landscape architects and registered interior designers remain informed of those technical and professional subjects that the Board deems appropriate. The Board may by rule describe the methods by which the requirements of such program may be satisfied. Failure to meet such requirements of continuing education shall result in nonrenewal of the license issued to the architect or landscape architect or nonrenewal of the registration issued to the registered interior designer;

22. Adopt rules regarding requirements for intern development as a prerequisite for licensure or registration;

23. Give scholarships, as determined by the Board, to an individual or individuals advancing toward obtaining an accredited National Architectural Accreditation Board, Landscape Architectural Accreditation Board or Council for Interior Design Accreditation degree in one of these three professions in an Oklahoma higher education institution; and

24. Take such other action as may be reasonably necessary or appropriate to effectuate the State Architectural and Registered Interior Designers Act. The Board may, at its discretion, contract with other state agencies and nonprofit corporations for the endowment, management, and administration of scholarships. The requirements of such scholarships shall be determined by the Board. However, nothing contained herein shall be construed as requiring the Board to endow or award any scholarship.

SECTION 2. This act shall become effective November 1, 2015.

Passed the Senate the 3rd day of March, 2015.

Presiding Officer of the Senate

Passed the House of Representatives the 31st day of March, 2015.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 1st
day of April, 20 15, at 2:58 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 7th
day of April, 20 15, at 2:37 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 7th
day of April, 20 15, at 3 o'clock P. M.
By: Chris Benge