

1 HB164  
2 164026-1  
3 By Representative Sanderford  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 05-MAR-15

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8 SYNOPSIS: Under existing law, termination dates are  
9 established for enumerated state agencies. The  
10 agencies are periodically reviewed by the Alabama  
11 Sunset Committee. After the review process is  
12 completed, the committee prepares its  
13 recommendations for the agencies to the Legislature  
14 in the form of sunset bills which either continue,  
15 terminate, or continue with modification each  
16 agency reviewed.

17 This bill would provide for the continuance  
18 of the State Board for Registration of Architects  
19 until October 1, 2019, with the following change:  
20 To change the date of expiration of a certificate  
21 of registration to practice architecture from  
22 September 30 to December 31, to coincide with the  
23 continuing education reporting period.

24  
25 A BILL  
26 TO BE ENTITLED  
27 AN ACT

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2           Relating to the Alabama Sunset Law; to continue the  
3 existence and functioning of the State Board for Registration  
4 of Architects until October 1, 2019, with certain  
5 modifications; to amend Section 34-2-33, Code of Alabama 1975,  
6 so as to change the date of expiration of a certificate of  
7 registration to practice architecture from September 30 to  
8 December 31, to coincide with the continuing education  
9 reporting period.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11           Section 1. Pursuant to the Alabama Sunset Law, the  
12 Sunset Committee recommends the continuance of the State Board  
13 for Registration of Architects until October 1, 2019, with the  
14 additional recommendation for statutory change as set out in  
15 Section 3.

16           Section 2. The existence and functioning of the  
17 State Board for Registration of Architects, created and  
18 functioning pursuant to Sections 34-2-30 to 34-2-42,  
19 inclusive, Code of Alabama 1975, is continued until October 1,  
20 2019, and those code sections are expressly preserved.

21           Section 3. Section 34-2-33 of the Code of Alabama  
22 1975, is amended to read as follows:

23           "§34-2-33.

24           "(a) The board shall receive applications for  
25 registration as an architect only on forms prescribed and  
26 furnished by the board.

1           "Upon receipt of the application and the payment of  
2 a fee, as established by the board, the fee in no event  
3 exceeding two hundred fifty dollars (\$250), the board shall  
4 promptly notify the applicant of examination requirements for  
5 registration, if applicable.

6           "The board may contract with an independent testing  
7 agency to prepare, grade, or conduct the examination. If the  
8 board determines the applicant requires examination, the  
9 applicant shall pay the actual cost of the examination  
10 directly to the board-authorized testing agency.

11           "(b) The board may issue to an applicant without  
12 further examination, a certificate of registration as an  
13 architect, provided the applicant holds an unexpired  
14 certificate issued to him or her by the National Council of  
15 Architectural Registration Boards, hereinafter referred to as  
16 NCARB.

17           "(c) The following facts established in the  
18 application shall be regarded as prima facie evidence  
19 satisfactory to the board that the applicant is fully  
20 qualified to be examined for registration:

21           "(1) Graduation after a course of study of a length  
22 as the board shall by regulation determine from a school or  
23 college of architecture accredited by the National  
24 Architectural Accrediting Board, hereinafter referred to as  
25 NAAB; and

26           "(2) An additional period of practical experience in  
27 architectural work under the responsible control of a

1 registered architect or architects as the board by regulation  
2 shall deem appropriate.

3 "Unless exempted, applicants shall take and pass the  
4 professional examination administered by the board or an  
5 independent testing agency approved by the board.

6 "(d) In determining the sufficiency of the  
7 qualifications of the applicant for registration, a majority  
8 vote of the members of the board shall be required.

9 "(e) Certificates for registration shall expire on  
10 ~~the thirtieth day of September~~ December 31 following their  
11 issuance or renewal and shall become invalid on that day  
12 unless renewed.

13 "Certificates of registrants who are or may be in  
14 the Armed Forces of the United States shall not expire until  
15 ~~the thirtieth day of September~~ December 31 following the  
16 discharge or final separation of the registrant from the Armed  
17 Forces of the United States.

18 "(f) Renewal may be ~~effected~~ accomplished at any  
19 time prior to or during the month of ~~September~~ December by the  
20 payment of a fee established by the board not to exceed two  
21 hundred fifty dollars (\$250).

22 "A penalty not to exceed the sum of seventy-five  
23 dollars (\$75) may be added to the renewal fee for failure to  
24 renew a certificate upon such terms and conditions as the  
25 board may by regulation determine. Failure to renew a  
26 certificate of registration by ~~December~~ March 31 shall result  
27 in a lapse of registration.

1           "(g) A registrant whose certificate of registration  
2 has lapsed may have it reinstated, if in compliance with other  
3 relevant requirements, by filing a ~~renewal form~~ reinstatement  
4 application and paying, in addition to the appropriate renewal  
5 fee and late penalty, a reinstatement fee of two hundred fifty  
6 dollars (\$250).

7           "(h) There is hereby created, for renewal of  
8 certificate purposes, a status to be known as emeritus status  
9 architect, which shall apply to architects who have been  
10 registered for 10 consecutive years or longer, and who are 65  
11 years of age or older, and who have retired from active  
12 practice. The annual renewal of registration for emeritus  
13 status shall be renewed without payment of a fee. If an  
14 emeritus status architect subsequently wishes to practice, he  
15 or she may do so without penalty by proper application to the  
16 board."

17           Section 4. The Legislature concurs in the  
18 recommendations of the Sunset Committee as provided in  
19 Sections 1, 2, and 3.

20           Section 5. This act shall become effective  
21 immediately upon its passage and approval by the Governor, or  
22 its otherwise becoming law.