

As Introduced

**127th General Assembly
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S. B. No. 225

Senator Schaffer

Cosponsors: Senators Faber, Schuler

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A B I L L

To amend sections 125.22, 4703.01 to 4703.15, 1
4703.151, 4703.16, 4703.18, 4703.181, 4703.19, 2
4703.331, 4703.37, 4703.50, 4703.51, and 4703.52 3
of the Revised Code to make changes to the 4
Architects Law. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 125.22, 4703.01, 4703.02, 4703.03, 6
4703.04, 4703.05, 4703.06, 4703.07, 4703.08, 4703.09, 4703.10, 7
4703.11, 4703.12, 4703.13, 4703.14, 4703.15, 4703.151, 4703.16, 8
4703.18, 4703.181, 4703.19, 4703.331, 4703.37, 4703.50, 4703.51, 9
and 4703.52 of the Revised Code be amended to read as follows: 10

Sec. 125.22. (A) The department of administrative services 11
shall establish the central service agency to perform routine 12
support for the following boards and commissions: 13

- (1) ~~State board of examiners of architects~~ Architects board; 14
- (2) Barber board; 15
- (3) State chiropractic board; 16
- (4) State board of cosmetology; 17
- (5) Accountancy board; 18

(6) State dental board;	19
(7) State board of optometry;	20
(8) Ohio occupational therapy, physical therapy, and athletic trainers board;	21 22
(9) State board of registration for professional engineers and surveyors;	23 24
(10) State board of sanitarian registration;	25
(11) Board of embalmers and funeral directors;	26
(12) State board of psychology;	27
(13) Ohio optical dispensers board;	28
(14) Board of speech pathology and audiology;	29
(15) Counselor, social worker, and marriage and family therapist board;	30 31
(16) State veterinary medical licensing board;	32
(17) Ohio board of dietetics;	33
(18) Commission on Hispanic-Latino affairs;	34
(19) Ohio respiratory care board;	35
(20) Ohio commission on African-American males;	36
(21) Chemical dependency professionals board.	37
(B)(1) Notwithstanding any other section of the Revised Code, the agency shall perform the following routine support services for the boards and commissions named in division (A) of this section unless the controlling board exempts a board or commission from this requirement on the recommendation of the director of administrative services:	38 39 40 41 42 43
(a) Preparing and processing payroll and other personnel documents;	44 45

(b) Preparing and processing vouchers, purchase orders, encumbrances, and other accounting documents;	46 47
(c) Maintaining ledgers of accounts and balances;	48
(d) Preparing and monitoring budgets and allotment plans in consultation with the boards and commissions;	49 50
(e) Other routine support services that the director of administrative services considers appropriate to achieve efficiency.	51 52 53
(2) The agency may perform other services which a board or commission named in division (A) of this section delegates to the agency and the agency accepts.	54 55 56
(3) The agency may perform any service for any professional or occupational licensing board not named in division (A) of this section or any commission if the board or commission requests such service and the agency accepts.	57 58 59 60
(C) The director of administrative services shall be the appointing authority for the agency.	61 62
(D) The agency shall determine the fees to be charged to the boards and commissions, which shall be in proportion to the services performed for each board or commission.	63 64 65
(E) Each board or commission named in division (A) of this section and any other board or commission requesting services from the agency shall pay these fees to the agency from the general revenue fund maintenance account of the board or commission or from such other fund as the operating expenses of the board or commission are paid. Any amounts set aside for a fiscal year by a board or commission to allow for the payment of fees shall be used only for the services performed by the agency in that fiscal year. All receipts collected by the agency shall be deposited in the state treasury to the credit of the central service agency fund,	66 67 68 69 70 71 72 73 74 75

which is hereby created. All expenses incurred by the agency in 76
performing services for the boards or commissions shall be paid 77
from the fund. 78

(F) Nothing in this section shall be construed as a grant of 79
authority for the central service agency to initiate or deny 80
personnel or fiscal actions for the boards and commissions. 81

Sec. 4703.01. The governor shall appoint a ~~state board of~~ 82
~~examiners of~~ architects board, which ~~board~~ shall be composed of 83
five architects who have been in active practice in the state for 84
not less than ten years previous to their appointment. 85

At the expiration of the term of office of each of the 86
members the governor shall, with the advice and consent of the 87
senate appoint a successor. Terms of office shall be for five 88
years, commencing on the third day of October and ending on the 89
second day of October. Each member shall hold office from the date 90
of ~~his~~ appointment until the end of the term for which ~~he was~~ 91
appointed. The governor may, upon bona fide complaint and for good 92
cause shown, after ten days' notice to the member against whom 93
charges may be filed, and after opportunity for hearing, remove 94
any member of said board for inefficiency, neglect of duty, or 95
malfeasance in office. Any member appointed to fill a vacancy 96
occurring prior to the expiration of the term for which ~~his~~ the 97
member's predecessor was appointed shall hold office for the 98
remainder of such term. Any member shall continue in office 99
subsequent to the expiration date of ~~his~~ the member's term until 100
~~his~~ the member's successor takes office, or until a period of 101
sixty days has elapsed, whichever occurs first. 102

The members of said board shall, before entering upon the 103
discharge of their duties, subscribe to and file with the 104
secretary of state the constitutional oath of office. 105

Sec. 4703.02. The ~~state board of examiners of~~ architects 106
board shall organize by electing from its membership a president 107
and a secretary, and also a vice-president and an assistant 108
secretary, who shall act during absence or disability of the 109
president or secretary respectively. 110

The board shall adopt all necessary rules, regulations, and 111
bylaws, not inconsistent with sections 4703.01 to 4703.19 of the 112
Revised Code and the constitutions and laws of this state or of 113
the United States, to govern its times and places of meeting for 114
organization and reorganization, for the holding of examinations, 115
and for fixing the length of the term of its officers. The board, 116
under Chapter 119. of the Revised Code, may adopt, promulgate, and 117
enforce rules governing the standards of education, service, 118
conduct, and practice to be followed in the practice of the 119
profession of architecture in the state, including rules for the 120
enforcement of sections 4703.01 to 4703.19 of the Revised Code. 121
The board shall include among the rules adopted governing the 122
standards of practice, requirements regarding financial 123
responsibility and professional liability insurance. The board may 124
adopt rules pertaining to the satisfactory completion of 125
continuing education requirements. 126

If the board adopts rules pertaining to continuing education 127
requirements, the board shall specify in the rules that the 128
continuing education requirements may be satisfied by coursework 129
or activities dealing with technical, ethical, or managerial 130
topics relevant to the practice of architecture and that a 131
registrant may earn continuing professional education hours by 132
completing or teaching university or college level coursework; 133
attending seminars, workshops, or conferences; authoring relevant 134
published papers, articles, or books; receiving patent awards; 135
actively participating in professional or technical societies 136
serving the architecture profession, or actively participating in 137

any other activity deemed relevant by the board. If the board 138
adopts rules pertaining to continuing education requirements, the 139
board shall, in general, follow model continuing education 140
recommendations established by the national council of 141
architectural registration boards or a similar successor 142
organization. 143

The board ~~shall hold examinations not less than once~~ 144
~~annually,~~ shall issue to each successful examination applicant a 145
certificate of qualification to practice architecture, and shall 146
impress on each certificate issued the seal of the board. 147

The secretary of the board shall be responsible for keeping a 148
true and complete record of all proceedings of the board. The 149
board may employ an executive secretary, investigators, and 150
clerical assistance it determines necessary. 151

Sec. 4703.03. (A) The ~~state board of examiners of~~ architects 152
board shall enforce sections 4703.01 to 4703.19 of the Revised 153
Code, may subpoena witnesses and records in connection with its 154
investigations, and may incur such expenses as are necessary. 155

(B) Each member of the board shall be entitled to receive, as 156
a part of the expense of the board, an amount fixed pursuant to 157
division (J) of section 124.15 of the Revised Code while actually 158
engaged in attendance at meetings, in conducting examinations, or 159
in the performance of ~~his~~ official duties. 160

(C) The members shall receive also, as a part of the expense 161
of the board, the amount of actual traveling, hotel, and other 162
necessary expenses incurred in the performance of their duties. 163

(D) The secretary, executive secretary, and clerical 164
assistants of the board shall give bond to the state in such sum 165
as the board determines, but not less than three thousand dollars, 166
conditioned upon the faithful discharge of their duties. Premiums 167

for such bonds shall be paid by the board. Such bonds with 168
approval of the board endorsed on them shall be deposited with the 169
secretary of state and kept in ~~his~~ the secretary of state's 170
office. 171

Sec. 4703.04. (A) The ~~state board of examiners of~~ architects 172
board shall file with the governor, after the close of each fiscal 173
year a full report of its operations as of the thirtieth day of 174
June of said year, together with a statement of receipts and 175
expenditures. 176

(B) A roster, showing the name, registration number, and 177
address of all architects registered and in good standing as of 178
the first day of April of each even-numbered year under sections 179
4703.01 to 4703.19 of the Revised Code, shall be prepared by the 180
board in each even-numbered year. 181

Sec. 4703.05. Three members of the ~~state board of examiners~~ 182
~~of~~ architects board shall constitute a quorum, but no action at 183
any meeting shall be taken without at least three votes in accord; 184
and the regular and special meetings of the board shall be called 185
and held in the manner and at the times and places prescribed in 186
its rules. 187

Sec. 4703.06. (A) Any person shall, before engaging in the 188
practice of architecture or before being styled or known as an 189
architect, secure from the ~~state board of examiners of~~ architects 190
board a certificate of ~~his~~ the person's qualifications to practice 191
under the title of "architect," and be registered with the board. 192

Any person holding such certificate and being registered 193
pursuant to sections 4703.01 to 4703.19 of the Revised Code may be 194
styled or known as an architect or as a registered architect. 195

No other person shall assume such title or use any 196

abbreviation, or any words, letters, or figures, to indicate or 197
imply that he the person is an architect or registered architect, 198
except persons authorized by the board to use the title intern 199
architect, architectural intern, or emeritus architect as 200
described in division (B) of this section. 201

(B) The board may authorize by rule any person to use the 202
title intern architect, architectural intern, or emeritus 203
architect. The board may adopt any rules the board deems necessary 204
pertaining to intern architects, architectural interns, and 205
emeritus architects, including, but not limited to, rules 206
pertaining to registration and renewal fees. 207

Sec. 4703.07. Unless certified and registered pursuant to 208
rules adopted under section 4703.08 of the Revised Code, an 209
applicant for a certificate of qualification to practice 210
architecture shall: 211

(A) Be at least eighteen years of age; 212

(B) Be of good moral character; 213

(C) Submit satisfactory evidence of having obtained a 214
professional degree in architecture from a school having a program 215
accredited by the national accrediting board recognized by the 216
~~state board of examiners of architects~~ board or other equivalent 217
architectural education as is recognized by the ~~state board of~~ 218
~~examiners of architects~~ board; 219

(D) Complete the requirements for training under an 220
internship program established or adopted by the ~~state board of~~ 221
~~examiners of architects~~ board, including, but not limited to, 222
design and construction documents, construction administration and 223
office management, or equivalent experience acceptable to the 224
board; 225

(E) Pass an examination as prescribed by the board. 226

Sec. 4703.08. ~~The state board of examiners of architects~~ 227
~~board shall adopt rules to certify and register an applicant for a~~ 228
~~certificate of qualification to practice architecture who provides~~ 229
~~satisfactory evidence that the applicant meets all of the~~ 230
~~following requirements:~~ 231

~~(A) Is a~~ is licensed or registered as an architect in another 232
state or jurisdiction ~~where the qualifications required for~~ 233
~~licensure or registration were equal, in the opinion of the board,~~ 234
~~to those required in sections 4703.01 to 4703.19 of the Revised~~ 235
~~Code, at the time of the applicant's original licensure or~~ 236
~~registration in that state or jurisdiction;~~ 237

~~(B) Holds,~~ holds a current ~~record~~ certificate in good 238
standing issued by the national council of architectural 239
registration boards; 240

~~(C) Is a licensed or registered architect in another state or~~ 241
~~jurisdiction that extends reciprocity similar to that offered~~ 242
~~under this section, to architects who are,~~ and wishes to be 243
registered in this state. 244

Sec. 4703.09. All examinations held under sections 4703.01 to 245
4703.19 of the Revised Code, shall be conducted by the ~~state board~~ 246
~~of examiners of architects~~ board or its authorized representatives 247
at such times and places as may be determined by the regulations 248
established by the board, but not less than one examination for 249
certificate of qualification to practice architecture shall be 250
held in each year. 251

Sec. 4703.10. If the applicant passes the examination under 252
section 4703.09 of the Revised Code or in lieu of the examination 253
~~meets is,~~ in the opinion of the ~~state board of examiners of~~ 254
architects board, ~~the requirements of~~ eligible to register as an 255
architect pursuant to rules adopted under section 4703.08 of the 256

Revised Code, and in addition has proven self to be of good moral 257
character, the applicant is eligible to receive from the ~~state~~ 258
~~board of examiners of architects~~ a certificate of qualification to 259
practice architecture. The certificate shall be signed by the 260
president and secretary of the board and shall bear the name of 261
the successful applicant, ~~the successful applicant's place of~~ 262
~~business~~, the serial number of the certificate, the seal of the 263
board, and the words, "admitted to practice architecture in the 264
state of Ohio, the day of," 265

If the applicant fails the examination under section 4703.09 266
of the Revised Code, the board may refuse to issue a certificate 267
of qualification to practice architecture. 268

Sec. 4703.11. The ~~state board of examiners of~~ architects 269
board shall keep an official register of all said certificates of 270
qualification to practice architecture issued and of the renewals 271
of the same as provided in sections 4703.01 to 4703.19, ~~inclusive~~, 272
of the Revised Code, which register shall be properly indexed and 273
shall be open for public inspection and information. 274

Sec. 4703.12. (A) Each original certificate of qualification 275
to practice architecture issued and registered shall authorize the 276
holder to practice architecture as a registered architect 277
throughout this state from the date of issuance until the last day 278
of December of the odd-numbered year next succeeding the date upon 279
which the certificate was issued, unless the certificate has been 280
revoked or suspended for cause as provided in section 4703.15 of 281
the Revised Code. Every holder of such certificate or its renewal 282
shall secure a seal of the design prescribed by the rules of the 283
~~state board of examiners of~~ architects board. All working drawings 284
and specifications prepared by or under the supervision of the 285
holder shall be imprinted with this seal. No person shall seal any 286
document unless the person is the holder of a certificate 287

currently in good standing. 288

(B) Each certificate of authorization issued under division 289
(L) of section 4703.18 of the Revised Code shall authorize the 290
holder to provide architectural services, through the architect 291
designated as being in responsible charge of the architectural 292
practice, from the date of issuance until the last day of June 293
next succeeding the date upon which the certificate was issued, 294
unless the certificate has been revoked or suspended for cause as 295
provided in section 4703.15 of the Revised Code or has been 296
suspended pursuant to section 3123.47 of the Revised Code. 297

Sec. 4703.13. (A) Each architect who holds a certificate of 298
qualification to practice architecture under sections 4703.01 to 299
4703.19 of the Revised Code and who desires to continue the 300
practice of architecture shall, before or during the month of 301
December of each odd-numbered year, make application, together 302
with the renewal fee provided in section 4703.16 of the Revised 303
Code, for a renewal of the certificate, and demonstrate 304
satisfactory completion of any applicable continuing education 305
requirements adopted by the ~~state board of examiners of~~ architects 306
board under section 4703.02 of the Revised Code. The renewal shall 307
be pursuant to the standard renewal procedure of sections 4745.01 308
to 4745.03 of the Revised Code, except that renewal is required in 309
each odd-numbered year instead of annually. Each certificate shall 310
be renewed for a term of two years, and the renewal shall be 311
recorded in the official register of the board. 312

(B) Each holder of a certificate of authorization to provide 313
architectural services shall, before or during the month of each 314
June preceding the year the holder desires to continue to provide 315
architectural services, make application, together with the 316
renewal fee provided in section 4703.16 of the Revised Code, for a 317
renewal of the certificate. Each certificate shall be renewed for 318

a term of one year except as provided in section 4703.12 of the Revised Code.

Sec. 4703.14. Any holder of a certificate of qualification to practice architecture that has expired through failure to be renewed as provided in section 4703.13 of the Revised Code may obtain a renewal of such certificate, at any time within one year from the date of its expiration, upon application to and with the approval of the ~~state board of examiners of~~ architects board. The time for renewal of such expired certificate may be extended at the discretion of the board. A certificate that has lapsed for a period of more than one year may be restored at the discretion of the board upon payment of the required fee.

Sec. 4703.15. (A) The ~~state board of examiners of~~ architects board may by three concurring votes deny renewal of, revoke, or suspend any certificate of qualification to practice architecture, issued or renewed under sections 4703.10, 4703.13, and 4703.14 of the Revised Code, or any certificate of authorization, issued or renewed under sections 4703.13 and 4703.18 of the Revised Code, if proof satisfactory to the board is presented in any of the following cases:

(1) In case it is shown that the certificate was obtained by fraud;

(2) In case the holder of the certificate has been found guilty by the board or by a court of justice of any fraud or deceit in the holder's professional practice, or has been convicted of a felony by a court of justice;

(3) In case the holder has been found guilty by the board of gross negligence, incompetency, or misconduct in the performance of the holder's services as an architect or in the practice of architecture;

(4) In case the holder of the certificate has been found 349
guilty by the board of signing plans for the construction of a 350
building as a "registered architect" where the holder is not the 351
actual architect of such building and where the holder is without 352
prior written consent of the architect originating the design or 353
other documents used in the plans; 354

(5) In case the holder of the certificate has been found 355
guilty by the board of aiding and abetting another person or 356
persons not properly registered as required by sections 4703.01 to 357
4703.19 of the Revised Code, in the performance of activities that 358
in any manner or extent constitute the practice of architecture. 359

At any time after the expiration of six months from the date 360
of the revocation or suspension of a certificate, the individual, 361
firm, partnership, association, or corporation may apply for 362
reinstatement of the certificate. Upon showing that all loss 363
caused by the individual, firm, partnership, association, or 364
corporation whose certificate has been revoked or suspended has 365
been fully satisfied and that all conditions imposed by the 366
revocation or suspension decision have been complied with, and 367
upon the payment of all costs incurred by the board as a result of 368
the case at issue, the board, at its discretion and upon evidence 369
that in its opinion would so warrant, may restore the certificate. 370

(B) In addition to disciplinary action the board may take 371
against a certificate holder under division (A) of this section or 372
section 4703.151 of the Revised Code, the board may impose a fine 373
against a certificate holder who obtained a certificate by fraud 374
or who is found guilty of any act specified in divisions (A)(2) to 375
(A)(5) of this section or who violates any rule governing the 376
standards of service, conduct, and practice adopted pursuant to 377
section 4703.02 of the Revised Code. The fine imposed shall be not 378
more than one thousand dollars for each offense but shall not 379
exceed five thousand dollars regardless of the number of offenses 380

the certificate holder has committed between the time the fine is 381
imposed and the time any previous fine was imposed. 382

Sec. 4703.151. The ~~state board of examiners of~~ architects 383
board may revoke or suspend licenses or reprimand licensees, and 384
may revoke or suspend the certificate of authorization provided 385
for in division (L) of section 4703.18 of the Revised Code, in 386
accordance with the seriousness of the charge, for violation of 387
rules governing the standards of service, conduct, and practice to 388
be followed in the practice of the profession of architecture in 389
the state, as adopted by the board pursuant to Chapter 4703. of 390
the Revised Code. 391

Sec. 4703.16. (A) The ~~state board of examiners of~~ architects 392
board shall establish the application fee for obtaining 393
registration under section 4703.07 and the fee for obtaining 394
registration ~~under~~ pursuant to section 4703.08 of the Revised 395
Code. 396

(B) The fee to restore a certificate of qualification to 397
practice architecture is the renewal fee for the current 398
certification period, plus the renewal fee for each two-year 399
period in which the certificate was not renewed, plus a penalty ~~of~~ 400
~~ten per cent of the total renewal fees~~ the board establishes for 401
each two-year period or part thereof in which the certificate was 402
not renewed, provided that the maximum fee shall not exceed the 403
amount established by the board. 404

(C) The board also shall establish the following fees: 405

(1) The fee for an original and duplicate certificate of 406
qualification to practice architecture and the biennial renewal of 407
the certificate; 408

(2) The fee for a duplicate renewal card; 409

(3) The fee to restore a certificate of qualification to 410

practice architecture or certificate of authorization revoked 411
under section 4703.15 of the Revised Code or suspended under 412
section 3123.47 of the Revised Code; 413

(4) The fee for an original and duplicate certificate of 414
authorization issued under division (L) of section 4703.18 of the 415
Revised Code and the annual renewal of the certificate; 416

(5) The fee to cover costs for checks or other instruments 417
returned to the board by financial institutions due to 418
insufficient funds. 419

Sec. 4703.18. (A) No person shall enter upon the practice of 420
architecture or hold forth as an architect or registered 421
architect, unless the person has complied with sections 4703.01 to 422
4703.19 of the Revised Code and is the holder of a certificate of 423
qualification to practice architecture issued or renewed and 424
registered under those sections. 425

(B) Sections 4703.01 to 4703.19 of the Revised Code do not 426
prevent persons other than architects from filing applications for 427
building permits or obtaining those permits. 428

(C) Sections 4703.01 to 4703.19 of the Revised Code do not 429
prevent persons other than architects from preparing plans, 430
drawings, specifications, or data, filing applications for 431
building permits, or obtaining those permits for residential 432
buildings, as defined by section 3781.06 of the Revised Code, or 433
buildings erected as industrialized one-, two-, or three-family 434
units or structures within the meaning of the term "industrialized 435
unit" as provided in section 3781.06 of the Revised Code. 436

(D) Sections 4703.01 to 4703.19 of the Revised Code do not 437
prevent persons other than architects from preparing drawings or 438
data, from filing applications for building permits, or from 439
obtaining those permits for the installation of replacement 440

equipment or systems that are similar in type or capacity to the 441
equipment or systems being replaced, and for any improvement, 442
alteration, repair, painting, decorating, or other modification of 443
any buildings or structures subject to sections 3781.06 to 3781.18 444
and 3791.04 of the Revised Code where the building official 445
determines that no plans or specifications are required for 446
approval. 447

(E) Sections 4703.01 to 4703.19 of the Revised Code do not 448
exclude a registered professional engineer from architectural 449
practice that may be incident to the practice of engineering or 450
exclude a registered architect from engineering practice that may 451
be incident to the practice of architecture. 452

(F) Sections 4703.01 to 4703.19 of the Revised Code do not 453
prevent a firm, partnership, association, limited liability 454
company, or corporation of architects registered under those 455
sections from providing architectural services and do not prevent 456
an individual registered as a landscape architect under sections 457
4703.30 to 4703.49 of the Revised Code or as a professional 458
engineer under Chapter 4733. of the Revised Code from being a 459
member or trustee of a firm, partnership, association, limited 460
liability company, or corporation of that type, but a member or 461
trustee of that type shall not engage in the practice of 462
architecture or hold forth as an architect contrary to sections 463
4703.01 to 4703.19 of the Revised Code and shall not practice a 464
profession in which the person is not licensed. 465

(G) A firm, partnership, association, limited liability 466
company, or corporation may provide architectural services in this 467
state as long as the services are provided only through natural 468
persons registered to provide those services in this state, 469
subject to the exemptions in section 4703.17 of the Revised Code 470
and subject otherwise to the requirements of sections 4703.01 to 471
4703.19 of the Revised Code. 472

(H) No firm, partnership, association, limited liability company, or corporation, except a corporation that was granted a charter prior to August 7, 1943, to engage in providing architectural services or that was otherwise lawfully providing architectural services prior to November 15, 1982, shall provide architectural services, hold itself out to the public as providing architectural services, or use a name including the word "architect" or any modification or derivation of the word, unless the firm, partnership, association, limited liability company, or corporation files all information required to be filed under this section with the ~~state board of examiners of architects~~ board and otherwise complies with all requirements of sections 4703.01 to 4703.19 of the Revised Code. A nonprofit membership corporation may use a name including the word "architect" or any modification or derivation of the word without complying with this section.

(I) A corporation may be organized under Chapter 1701. of the Revised Code, a professional association may be organized under Chapter 1785. of the Revised Code, or a limited liability company may be formed under Chapter 1705. of the Revised Code for the purpose of providing professional engineering, surveying, architectural, or landscape architectural services, or any combination of those services. A corporation organized under Chapter 1701. of the Revised Code for the purpose of providing those services also may be organized for any other purpose in accordance with that chapter.

(J) No firm, partnership, association, limited liability company, or corporation shall provide or offer to provide architectural services in this state unless more than fifty per cent of the partners, members, or shareholders, more than fifty per cent of the directors in the case of a corporation or professional association, ~~and~~ more than fifty per cent of the managers in the case of a limited liability company the management

of which is not reserved to its members, and more than fifty per cent of the trustees in the case of an employee stock ownership plan, are professional engineers, surveyors, architects, or landscape architects or a combination of those professions, who are registered in this or any other state and who own more than fifty per cent of the interests in the firm, partnership, association, limited liability company, or corporation; unless the requirements of this division and of section 1785.02 of the Revised Code are satisfied with respect to any professional association organized under Chapter 1785. of the Revised Code; or unless the requirements of this division and of Chapter 1705. of the Revised Code are satisfied with respect to a limited liability company formed under that chapter.

(K) Each firm, partnership, association, limited liability company, or corporation through which architectural services are offered or provided in this state shall designate one or more trustees, partners, managers, members, officers, or directors as being in responsible charge of the professional architectural activities and decisions, and those designated persons shall be registered in this state. In the case of a corporation holding a certificate of authorization provided for in division (L) of this section, at least one of the persons so designated shall be a director of the corporation. Each firm, partnership, association, limited liability company, or corporation of that type shall annually file with the ~~state board of examiners of architects~~ board the name and address of each trustee, partner, manager, officer, director, member, or shareholder, and each firm, partnership, association, limited liability company, or corporation of that type shall annually file with the board the name and address of all persons designated as being in responsible charge of the professional architectural activities and decisions and any other information the board may require. If there is a change in any such person in the interval between filings, the

change shall be filed with the board in the manner and within the 538
time that the board determines. 539

(L) No corporation organized under Chapter 1701. of the 540
Revised Code shall engage in providing architectural services in 541
this state without obtaining a certificate of authorization from 542
the ~~state board of examiners of architects~~ board. A corporation 543
desiring a certificate of authorization shall file with the board 544
a copy of its articles of incorporation and a listing on the form 545
that the board directs of the names and addresses of all trustees, 546
officers, directors, and shareholders of the corporation, the 547
names and addresses of any individuals providing professional 548
services on behalf of the corporation who are registered to 549
practice architecture in this state, and any other information the 550
board requires. If all requirements of sections 4703.01 to 4703.19 551
of the Revised Code are met, the board may issue a certificate of 552
authorization to the corporation. No certificate of authorization 553
shall be issued unless persons owning more than fifty per cent of 554
the corporation's shares and more than fifty per cent of the 555
interests in the corporation are professional engineers, 556
surveyors, architects, or landscape architects, or a combination 557
of those professions, who are registered in this or any other 558
state. Any corporation that holds a certificate of authorization 559
under this section and otherwise meets the requirements of 560
sections 4703.01 to 4703.19 of the Revised Code may be organized 561
for any purposes for which corporations may be organized under 562
Chapter 1701. of the Revised Code and shall not be limited to the 563
purposes of providing professional engineering, surveying, 564
architectural, or landscape architectural services or any 565
combination of those professions. The board, by rules adopted in 566
accordance with Chapter 119. of the Revised Code, may require any 567
firm, partnership, association, or limited liability company not 568
organized under Chapter 1701. of the Revised Code that provides 569
architectural services to obtain a certificate of authorization. 570

If the board so requires, no firm, partnership, association, or 571
limited liability company shall engage in providing architectural 572
services without obtaining the certificate and complying with the 573
rules. 574

(M) This section does not modify any law applicable to the 575
relationship between a person furnishing a professional service 576
and a person receiving that service, including liability arising 577
out of that service. 578

(N) Nothing in this section restricts or limits in any manner 579
the authority or duty of the ~~state board of examiners of~~ 580
architects board with respect to natural persons providing 581
professional services or any law or rule pertaining to standards 582
of professional conduct. 583

Sec. 4703.181. The ~~state board of examiners of~~ architects 584
board may apply to a court of competent jurisdiction for relief by 585
injunction or restraining order to enjoin or restrain a person, 586
firm, corporation, partnership, or any other group or combination 587
of persons from the commission of any act which is prohibited by 588
sections 4703.01 to 4703.19 of the Revised Code, or by rules 589
governing the standards of service, conduct, and practice to be 590
followed in the practice of the profession of architecture in the 591
state, as adopted by the board under Chapter 4703. of the Revised 592
Code. 593

The remedy provided by this section shall be in addition to 594
any other remedy provided by law. 595

Sec. 4703.19. The attorney general is hereby designated as 596
the legal advisor of the ~~state board of examiners of~~ architects 597
board. 598

Any person having knowledge of facts leading to the belief 599
that a violation of division (A) of section 4703.18 of the Revised 600

Code has occurred, may file an affidavit stating such facts with 601
the prosecuting attorney of the county in which such alleged 602
violation occurred, for the purpose of having a complaint filed by 603
such prosecuting attorney. 604

Sec. 4703.331. (A) A firm, partnership, association, limited 605
liability company, or corporation may provide landscape 606
architectural services in this state as long as the services are 607
provided only through natural persons registered to provide those 608
services in this state and subject to the requirements of this 609
chapter. 610

(B) No firm, partnership, association, limited liability 611
company, or corporation shall provide landscape architectural 612
services, hold itself out to the public as providing landscape 613
architectural services, or use a name including the word 614
"landscape architect" or any modification or derivation of the 615
word, unless the firm, partnership, association, limited liability 616
company, or corporation files all information required to be filed 617
under this section with the state board of landscape architect 618
examiners and otherwise complies with all requirements of this 619
chapter. A nonprofit membership corporation may use a name 620
including the word "landscape architect" or any modification or 621
derivation of the word without complying with this section. 622

(C) A corporation may be organized under Chapter 1701. of the 623
Revised Code, a professional association may be organized under 624
Chapter 1785. of the Revised Code, or a limited liability company 625
may be formed under Chapter 1705. of the Revised Code for the 626
purpose of providing professional engineering, surveying, 627
architectural, or landscape architectural services, or any 628
combination of those services. A corporation organized under 629
Chapter 1701. of the Revised Code for the purpose of providing 630
those services also may be organized for any other purpose in 631

accordance with that chapter. 632

(D) No firm, partnership, association, limited liability 633
company, or corporation shall provide or offer to provide 634
landscape architectural services in this state unless more than 635
fifty per cent of the partners, members, or shareholders, more 636
than fifty per cent of the directors in the case of a corporation 637
or professional association, ~~and~~ more than fifty per cent of the 638
managers in the case of a limited liability company the management 639
of which is not reserved to its members, and more than fifty per 640
cent of the trustees in the case of an employee stock ownership 641
plan, are professional engineers, surveyors, architects, or 642
landscape architects or a combination of those professions, who 643
are registered in this state and who own more than fifty per cent 644
of the interests in the firm, partnership, association, limited 645
liability company, or corporation; unless the requirements of this 646
division and of section 1785.02 of the Revised Code are satisfied 647
with respect to any professional association organized under 648
Chapter 1785. of the Revised Code; or unless the requirements of 649
this division and of Chapter 1705. of the Revised Code are 650
satisfied with respect to a limited liability company formed under 651
that chapter. 652

(E) Each firm, partnership, association, limited liability 653
company, or corporation through which landscape architectural 654
services are offered or provided in this state shall designate one 655
or more trustees, partners, managers, members, officers, or 656
directors as being in responsible charge of the professional 657
landscape architectural activities and decisions, and those 658
designated persons shall be registered in this state. In the case 659
of a corporation holding a certificate of authorization provided 660
for in division (F) of this section, at least one of the persons 661
so designated shall be a director of the corporation. Each firm, 662
partnership, association, limited liability company, or 663

corporation of that type shall annually file with the state board 664
of landscape architect examiners the name and address of each 665
trustees, partner, manager, officer, director, member, or 666
shareholder, and each firm, partnership, association, limited 667
liability company, or corporation of that type shall annually file 668
with the board the name and address of all persons designated as 669
being in responsible charge of the professional landscape 670
architectural activities and decisions and any other information 671
the board may require. If there is a change in any such person in 672
the interval between filings, the change shall be filed with the 673
board in the manner and within the time that the board determines. 674

(F) No corporation organized under Chapter 1701. of the 675
Revised Code shall engage in providing landscape architectural 676
services in this state without obtaining a certificate of 677
authorization from the state board of landscape architect 678
examiners. A corporation desiring a certificate of authorization 679
shall file with the board a copy of its articles of incorporation 680
and a listing on the form that the board directs of the names and 681
addresses of all trustees, officers, directors, and shareholders 682
of the corporation, the names and addresses of any individuals 683
providing professional services on behalf of the corporation who 684
are registered to practice landscape architecture in this state, 685
and any other information the board requires. If all requirements 686
of this chapter are met, the board may issue a certificate of 687
authorization to the corporation. No certificate of authorization 688
shall be issued unless persons owning more than fifty per cent of 689
the corporation's shares and more than fifty per cent of the 690
interests in the corporation are professional engineers, 691
surveyors, architects, or landscape architects, or a combination 692
of those professions, who are registered in this state. Any 693
corporation that holds a certificate of authorization under this 694
section and otherwise meets the requirements of this chapter may 695
be organized for any purposes for which corporations may be 696

organized under Chapter 1701. of the Revised Code and shall not be 697
limited to the purposes of providing professional engineering, 698
surveying, architectural, or landscape architectural services or 699
any combination of those services. The board, by rules adopted in 700
accordance with Chapter 119. of the Revised Code, may require any 701
firm, partnership, association, or limited liability company not 702
organized under Chapter 1701. of the Revised Code that provides 703
landscape architectural services to obtain a certificate of 704
authorization. If the board so requires, no firm, partnership, 705
association, or limited liability company shall engage in 706
providing landscape architectural services without obtaining the 707
certificate and complying with the rules. 708

(G) This section does not modify any law applicable to the 709
relationship between a person furnishing a professional service 710
and a person receiving that service, including liability arising 711
out of that service. 712

(H) Nothing in this section shall restrict or limit in any 713
manner the authority or duty of the state board of landscape 714
architect examiners with respect to natural persons providing 715
professional services or any law or rule pertaining to standards 716
of professional conduct. 717

Sec. 4703.37. (A) The state board of landscape architect 718
examiners shall establish an application fee for obtaining 719
registration under section 4703.34 of the Revised Code and a fee 720
for obtaining registration under section 4703.35 of the Revised 721
Code. 722

(B) The fee to restore an expired certificate of 723
qualification is the renewal fee for the current certification 724
period, plus the renewal fee for each previous renewal period in 725
which the certificate was not renewed, plus a penalty of 726
twenty-five per cent of the total renewal fees for each renewal 727

period or part thereof in which the certificate was not renewed, 728
on the condition that the maximum fee shall not exceed an amount 729
established by the board. 730

(C) The board also shall establish the following fees: 731

(1) The fee for taking or retaking the examination described 732
in division (C) of section 4703.34 of the Revised Code at an 733
amount adequate to cover the expenses of procuring and grading the 734
examination plus a fee for retaking all or parts of the required 735
examination. 736

(2) The fee for a certificate of qualification or duplicate 737
thereof, as issued to a landscape architect registered under 738
sections 4703.33 to 4703.38 of the Revised Code. 739

(3) The fee for the biennial renewal of the certificate of 740
qualification and the fee for a duplicate renewal card. 741

(4) The fee to be charged an examinee for administering an 742
examination to the examinee on behalf of another jurisdiction. 743

(5) The fee for a certificate of authorization issued under 744
division (F) of section 4703.331 of the Revised Code, the fee for 745
annual renewal of a certificate of authorization, and the fee for 746
a duplicate certificate of authorization. 747

(6) The fee to cover costs for checks or other instruments 748
returned to the board by financial institutions due to 749
insufficient funds. 750

Sec. 4703.50. All receipts of the ~~state board of examiners of~~ 751
architects board and state board of landscape architect examiners 752
shall be deposited in the state treasury to the credit of the 753
occupational licensing and regulatory fund. All expenditures of 754
the boards shall be paid pursuant to vouchers approved by the 755
secretary or executive secretary of the ~~state board of examiners~~ 756
~~of~~ architects board, or both, as authorized by the board. 757

758

Sec. 4703.51. The ~~state board of examiners of~~ architects 759
board, subject to the approval of the controlling board and except 760
for fees required to be established by the board at amounts 761
"adequate" to cover designated expenses, may establish fees in 762
excess of the amounts provided in sections 4703.01 to 4703.19 of 763
the Revised Code, provided that such fees do not exceed the 764
amounts specified by these sections by more than fifty per cent. 765

Sec. 4703.52. On receipt of a notice pursuant to section 766
3123.43 of the Revised Code, the ~~state board of examiners of~~ 767
architects board and the state board of landscape architects 768
examiners shall comply with sections 3123.41 to 3123.50 of the 769
Revised Code and any applicable rules adopted under section 770
3123.63 of the Revised Code with respect to a certificate issued 771
pursuant to this chapter. 772

Section 2. That existing sections 125.22, 4703.01, 4703.02, 773
4703.03, 4703.04, 4703.05, 4703.06, 4703.07, 4703.08, 4703.09, 774
4703.10, 4703.11, 4703.12, 4703.13, 4703.14, 4703.15, 4703.151, 775
4703.16, 4703.18, 4703.181, 4703.19, 4703.331, 4703.37, 4703.50, 776
4703.51, and 4703.52 of the Revised Code are hereby repealed. 777

Section 3. Section 125.22 of the Revised Code is presented in 778
this act as a composite of the section as amended by both Am. Sub. 779
H.B. 374 and Am. Sub. H.B. 496 of the 124th General Assembly. The 780
General Assembly, applying the principle stated in division (B) of 781
section 1.52 of the Revised Code that amendments are to be 782
harmonized if reasonably capable of simultaneous operation, finds 783
that the composite is the resulting version of the section in 784
effect prior to the effective date of the section as presented in 785
this act. 786