

As Passed by the House

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Sub. S. B. No. 225

Senator Schaffer

**Cosponsors: Senators Faber, Schuler, Austria, Gardner, Harris, Niehaus,
Seitz, Spada, Wilson**

**Representatives Hughes, Sykes, Brown, Combs, DeBose, Domenick, Dyer,
Evans, Flowers, Gardner, Harwood, Hottinger, Letson, McGregor, J., Patton,
Schneider, Sears, Setzer, Uecker, Yuko**

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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, 4703.34, 4703.37, 4703.50, 4703.51, and 3
4703.52 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, 4703.34, 4703.37, 4703.50, 9
4703.51, and 4703.52 of the Revised Code be amended to read as 10
follows: 11

Sec. 125.22. (A) The department of administrative services 12
shall establish the central service agency to perform routine 13
support for the following boards and commissions: 14

(1) ~~State board of examiners of architects~~ Architects board; 15

(2) Barber board;	16
(3) State chiropractic board;	17
(4) State board of cosmetology;	18
(5) Accountancy board;	19
(6) State dental board;	20
(7) State board of optometry;	21
(8) Ohio occupational therapy, physical therapy, and athletic trainers board;	22 23
(9) State board of registration for professional engineers and surveyors;	24 25
(10) State board of sanitarian registration;	26
(11) Board of embalmers and funeral directors;	27
(12) State board of psychology;	28
(13) Ohio optical dispensers board;	29
(14) Board of speech pathology and audiology;	30
(15) Counselor, social worker, and marriage and family therapist board;	31 32
(16) State veterinary medical licensing board;	33
(17) Ohio board of dietetics;	34
(18) Commission on Hispanic-Latino affairs;	35
(19) Ohio respiratory care board;	36
(20) Ohio commission on African-American males;	37
(21) Chemical dependency professionals board.	38
(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	39 40 41 42

from this requirement on the recommendation of the director of 43
administrative services: 44

(a) Preparing and processing payroll and other personnel 45
documents; 46

(b) Preparing and processing vouchers, purchase orders, 47
encumbrances, and other accounting documents; 48

(c) Maintaining ledgers of accounts and balances; 49

(d) Preparing and monitoring budgets and allotment plans in 50
consultation with the boards and commissions; 51

(e) Other routine support services that the director of 52
administrative services considers appropriate to achieve 53
efficiency. 54

(2) The agency may perform other services which a board or 55
commission named in division (A) of this section delegates to the 56
agency and the agency accepts. 57

(3) The agency may perform any service for any professional 58
or occupational licensing board not named in division (A) of this 59
section or any commission if the board or commission requests such 60
service and the agency accepts. 61

(C) The director of administrative services shall be the 62
appointing authority for the agency. 63

(D) The agency shall determine the fees to be charged to the 64
boards and commissions, which shall be in proportion to the 65
services performed for each board or commission. 66

(E) Each board or commission named in division (A) of this 67
section and any other board or commission requesting services from 68
the agency shall pay these fees to the agency from the general 69
revenue fund maintenance account of the board or commission or 70
from such other fund as the operating expenses of the board or 71
commission are paid. Any amounts set aside for a fiscal year by a 72

board or commission to allow for the payment of fees shall be used 73
only for the services performed by the agency in that fiscal year. 74
All receipts collected by the agency shall be deposited in the 75
state treasury to the credit of the central service agency fund, 76
which is hereby created. All expenses incurred by the agency in 77
performing services for the boards or commissions shall be paid 78
from the fund. 79

(F) Nothing in this section shall be construed as a grant of 80
authority for the central service agency to initiate or deny 81
personnel or fiscal actions for the boards and commissions. 82

Sec. 4703.01. The governor shall appoint ~~a state board of~~ 83
~~examiners of~~ an architects board, which ~~board~~ shall be composed of 84
five architects who have been in active practice in the state for 85
not less than ten years previous to their appointment. 86

At the expiration of the term of office of each of the 87
members the governor shall, with the advice and consent of the 88
senate appoint a successor. Terms of office shall be for five 89
years, commencing on the third day of October and ending on the 90
second day of October. Each member shall hold office from the date 91
of ~~his~~ appointment until the end of the term for which ~~he was~~ 92
appointed. The governor may, upon bona fide complaint and for good 93
cause shown, after ten days' notice to the member against whom 94
charges may be filed, and after opportunity for hearing, remove 95
any member of said board for inefficiency, neglect of duty, or 96
malfeasance in office. Any member appointed to fill a vacancy 97
occurring prior to the expiration of the term for which ~~his~~ the 98
member's predecessor was appointed shall hold office for the 99
remainder of such term. Any member shall continue in office 100
subsequent to the expiration date of ~~his~~ the member's term until 101
~~his~~ the member's successor takes office, or until a period of 102
sixty days has elapsed, whichever occurs first. 103

The members of said board shall, before entering upon the 104
discharge of their duties, subscribe to and file with the 105
secretary of state the constitutional oath of office. 106

Sec. 4703.02. The ~~state board of examiners of~~ architects 107
board shall organize by electing from its membership a president 108
and a secretary, and also a vice-president and an assistant 109
secretary, who shall act during absence or disability of the 110
president or secretary respectively. 111

The board shall adopt all necessary rules, regulations, and 112
bylaws, not inconsistent with sections 4703.01 to 4703.19 of the 113
Revised Code and the constitutions and laws of this state or of 114
the United States, to govern its times and places of meeting for 115
organization and reorganization, for the holding of examinations, 116
and for fixing the length of the term of its officers. The board, 117
under Chapter 119. of the Revised Code, may adopt, promulgate, and 118
enforce rules governing the standards of education, service, 119
conduct, and practice to be followed in the practice of the 120
profession of architecture in the state, including rules for the 121
enforcement of sections 4703.01 to 4703.19 of the Revised Code. 122
The board shall include among the rules adopted governing the 123
standards of practice, requirements regarding financial 124
responsibility and professional liability insurance. The board may 125
adopt rules pertaining to the satisfactory completion of 126
continuing education requirements. 127

If the board adopts rules pertaining to continuing education 128
requirements, the board shall specify in the rules that the 129
continuing education requirements may be satisfied by coursework 130
or activities dealing with technical, ethical, or managerial 131
topics relevant to the practice of architecture and that a 132
registrant may earn continuing professional education hours by 133
completing or teaching university or college level coursework; 134

attending seminars, workshops, or conferences; authoring relevant 135
published papers, articles, or books; receiving patent awards; 136
actively participating in professional or technical societies 137
serving the architecture profession, or actively participating in 138
any other activity deemed relevant by the board. If the board 139
adopts rules pertaining to continuing education requirements, the 140
board shall, in general, follow model continuing education 141
recommendations established by the national council of 142
architectural registration boards or a similar successor 143
organization. 144

The board ~~shall hold examinations not less than once~~ 145
~~annually~~, shall issue to each successful examination applicant a 146
certificate of qualification to practice architecture, and shall 147
impress on each certificate issued the seal of the board. 148

The secretary of the board shall be responsible for keeping a 149
true and complete record of all proceedings of the board. The 150
board may employ an executive secretary, investigators, and 151
clerical assistance it determines necessary. 152

Sec. 4703.03. (A) The ~~state board of examiners of~~ architects 153
board shall enforce sections 4703.01 to 4703.19 of the Revised 154
Code, may subpoena witnesses and records in connection with its 155
investigations, and may incur such expenses as are necessary. 156

(B) Each member of the board shall be entitled to receive, as 157
a part of the expense of the board, an amount fixed pursuant to 158
division (J) of section 124.15 of the Revised Code while actually 159
engaged in attendance at meetings, in conducting examinations, or 160
in the performance of ~~his~~ official duties. 161

(C) The members shall receive also, as a part of the expense 162
of the board, the amount of actual traveling, hotel, and other 163
necessary expenses incurred in the performance of their duties. 164

(D) The secretary, executive secretary, and clerical assistants of the board shall give bond to the state in such sum as the board determines, but not less than three thousand dollars, conditioned upon the faithful discharge of their duties. Premiums for such bonds shall be paid by the board. Such bonds with approval of the board endorsed on them shall be deposited with the secretary of state and kept in ~~his~~ the secretary of state's office.

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

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

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

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

Any person holding such certificate and being registered

pursuant to sections 4703.01 to 4703.19 of the Revised Code may be styled or known as an architect or as a registered architect.

No other person shall assume such title or use any abbreviation, or any words, letters, or figures, to indicate or imply that ~~he~~ the person is an architect or registered architect, except that persons may be authorized by the board to use the specific title "intern architect," "architectural intern," or "emeritus architect" as described in division (B) of this section.

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

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

(A) Be at least eighteen years of age;

(B) Be of good moral character;

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

(D) Complete the requirements for training under an internship program established or adopted by the ~~state board of examiners of architects~~ board, including, but not limited to,

design and construction documents, construction administration and 225
office management, or equivalent experience acceptable to the 226
board; 227

(E) Pass an examination as prescribed by the board. 228

Sec. 4703.08. ~~The state board of examiners of architects~~ 229
~~board~~ shall adopt rules to certify and register an applicant for a 230
certificate of qualification to practice architecture who ~~provides~~ 231
~~satisfactory evidence that the applicant meets all of the~~ 232
~~following requirements:~~ 233

~~(A) Is a~~ is licensed or registered as an architect in another 234
state or jurisdiction ~~where the qualifications required for~~ 235
~~licensure or registration were equal, in the opinion of the board,~~ 236
~~to those required in sections 4703.01 to 4703.19 of the Revised~~ 237
~~Code, at the time of the applicant's original licensure or~~ 238
~~registration in that state or jurisdiction;~~ 239

~~(B) Holds,~~ holds a current ~~record~~ certificate in good 240
standing issued by the national council of architectural 241
registration boards; 242

~~(C) Is a licensed or registered architect in another state or~~ 243
~~jurisdiction that extends reciprocity similar to that offered~~ 244
~~under this section, to architects who are, and wishes to be~~ 245
registered in this state. 246

Sec. 4703.09. All examinations held under sections 4703.01 to 247
4703.19 of the Revised Code, shall be conducted by the ~~state board~~ 248
~~of examiners of architects~~ board or its authorized representatives 249
at such times and places as may be determined by the regulations 250
established by the board, but not less than one examination for 251
certificate of qualification to practice architecture shall be 252
held in each year. 253

Sec. 4703.10. If the applicant passes the examination under 254
section 4703.09 of the Revised Code or in lieu of the examination 255
~~meets is~~, in the opinion of the ~~state board of examiners of~~ 256
architects board, ~~the requirements of~~ eligible to register as an 257
architect pursuant to rules adopted under section 4703.08 of the 258
Revised Code, and in addition has proven self to be of good moral 259
character, the applicant is eligible to receive from the ~~state~~ 260
~~board of examiners of architects~~ a certificate of qualification to 261
practice architecture. The certificate shall be signed by the 262
president and secretary of the board and shall bear the name of 263
the successful applicant, ~~the successful applicant's place of~~ 264
~~business~~, the serial number of the certificate, the seal of the 265
board, and the words, "admitted to practice architecture in the 266
state of Ohio, the day of," 267

If the applicant fails the examination under section 4703.09 268
of the Revised Code, the board may refuse to issue a certificate 269
of qualification to practice architecture. 270

Sec. 4703.11. The ~~state board of examiners of~~ architects 271
board shall keep an official register of all said certificates of 272
qualification to practice architecture issued and of the renewals 273
of the same as provided in sections 4703.01 to 4703.19, ~~inclusive,~~ 274
of the Revised Code, which register shall be properly indexed and 275
shall be open for public inspection and information. 276

Sec. 4703.12. (A) Each original certificate of qualification 277
to practice architecture issued and registered shall authorize the 278
holder to practice architecture as a registered architect 279
throughout this state from the date of issuance until the last day 280
of December of the odd-numbered year next succeeding the date upon 281
which the certificate was issued, unless the certificate has been 282
revoked or suspended for cause as provided in section 4703.15 of 283

the Revised Code. Every holder of such certificate or its renewal 284
shall secure a seal of the design prescribed by the rules of the 285
~~state board of examiners of~~ architects board. All working drawings 286
and specifications prepared by or under the supervision of the 287
holder shall be imprinted with this seal. No person shall seal any 288
document unless the person is the holder of a certificate 289
currently in good standing. 290

(B) Each certificate of authorization issued under division 291
(L) of section 4703.18 of the Revised Code shall authorize the 292
holder to provide architectural services, through the architect 293
designated as being in responsible charge of the architectural 294
practice, from the date of issuance until the last day of June 295
next succeeding the date upon which the certificate was issued, 296
unless the certificate has been revoked or suspended for cause as 297
provided in section 4703.15 of the Revised Code or has been 298
suspended pursuant to section 3123.47 of the Revised Code. 299

Sec. 4703.13. (A) Each architect who holds a certificate of 300
qualification to practice architecture under sections 4703.01 to 301
4703.19 of the Revised Code and who desires to continue the 302
practice of architecture shall, before or during the month of 303
December of each odd-numbered year, make application, together 304
with the renewal fee provided in section 4703.16 of the Revised 305
Code, for a renewal of the certificate, and demonstrate 306
satisfactory completion of any applicable continuing education 307
requirements adopted by the ~~state board of examiners of~~ architects 308
board under section 4703.02 of the Revised Code. The renewal shall 309
be pursuant to the standard renewal procedure of sections 4745.01 310
to 4745.03 of the Revised Code, except that renewal is required in 311
each odd-numbered year instead of annually. Each certificate shall 312
be renewed for a term of two years, and the renewal shall be 313
recorded in the official register of the board. 314

(B) Each holder of a certificate of authorization to provide architectural services shall, before or during the month of each June preceding the year the holder desires to continue to provide architectural services, make application, together with the renewal fee provided in section 4703.16 of the Revised Code, for a renewal of the certificate. Each certificate shall be renewed for 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 345
convicted of a felony by a court of justice; 346

(3) In case the holder has been found guilty by the board of 347
gross negligence, incompetency, or misconduct in the performance 348
of the holder's services as an architect or in the practice of 349
architecture; 350

(4) In case the holder of the certificate has been found 351
guilty by the board of signing plans for the construction of a 352
building as a "registered architect" where the holder is not the 353
actual architect of such building and where the holder is without 354
prior written consent of the architect originating the design or 355
other documents used in the plans; 356

(5) In case the holder of the certificate has been found 357
guilty by the board of aiding and abetting another person or 358
persons not properly registered as required by sections 4703.01 to 359
4703.19 of the Revised Code, in the performance of activities that 360
in any manner or extent constitute the practice of architecture. 361

At any time after the expiration of six months from the date 362
of the revocation or suspension of a certificate, the individual, 363
firm, partnership, association, or corporation may apply for 364
reinstatement of the certificate. Upon showing that all loss 365
caused by the individual, firm, partnership, association, or 366
corporation whose certificate has been revoked or suspended has 367
been fully satisfied and that all conditions imposed by the 368
revocation or suspension decision have been complied with, and 369
upon the payment of all costs incurred by the board as a result of 370
the case at issue, the board, at its discretion and upon evidence 371
that in its opinion would so warrant, may restore the certificate. 372

(B) In addition to disciplinary action the board may take 373
against a certificate holder under division (A) of this section or 374
section 4703.151 of the Revised Code, the board may impose a fine 375

against a certificate holder who obtained a certificate by fraud 376
or who is found guilty of any act specified in divisions (A)(2) to 377
(A)(5) of this section or who violates any rule governing the 378
standards of service, conduct, and practice adopted pursuant to 379
section 4703.02 of the Revised Code. The fine imposed shall be not 380
more than one thousand dollars for each offense but shall not 381
exceed five thousand dollars regardless of the number of offenses 382
the certificate holder has committed between the time the fine is 383
imposed and the time any previous fine was imposed. 384

Sec. 4703.151. The ~~state board of examiners of~~ architects 385
board may revoke or suspend licenses or reprimand licensees, and 386
may revoke or suspend the certificate of authorization provided 387
for in division (L) of section 4703.18 of the Revised Code, in 388
accordance with the seriousness of the charge, for violation of 389
rules governing the standards of service, conduct, and practice to 390
be followed in the practice of the profession of architecture in 391
the state, as adopted by the board pursuant to Chapter 4703. of 392
the Revised Code. 393

Sec. 4703.16. (A) The ~~state board of examiners of~~ architects 394
board shall establish the application fee for obtaining 395
registration under section 4703.07 and the fee for obtaining 396
registration ~~under~~ pursuant to section 4703.08 of the Revised 397
Code. 398

(B) The fee to restore a certificate of qualification to 399
practice architecture is the renewal fee for the current 400
certification period, plus the renewal fee for each two-year 401
period in which the certificate was not renewed, plus a penalty ~~of~~ 402
~~ten per cent of the total renewal fees~~ the board establishes for 403
each two-year period or part thereof in which the certificate was 404
not renewed, provided that the maximum fee shall not exceed the 405
amount established by the board. 406

(C) The board also shall establish the following fees: 407

(1) The fee for an original and duplicate certificate of 408
qualification to practice architecture and the biennial renewal of 409
the certificate; 410

(2) The fee for a duplicate renewal card; 411

(3) The fee to restore a certificate of qualification to 412
practice architecture or certificate of authorization revoked 413
under section 4703.15 of the Revised Code or suspended under 414
section 3123.47 of the Revised Code; 415

(4) The fee for an original and duplicate certificate of 416
authorization issued under division (L) of section 4703.18 of the 417
Revised Code and the annual renewal of the certificate; 418

(5) The fee to cover costs for checks or other instruments 419
returned to the board by financial institutions due to 420
insufficient funds. 421

Sec. 4703.18. (A) No person shall enter upon the practice of 422
architecture or hold forth as an architect or registered 423
architect, unless the person has complied with sections 4703.01 to 424
4703.19 of the Revised Code and is the holder of a certificate of 425
qualification to practice architecture issued or renewed and 426
registered under those sections. 427

(B) Sections 4703.01 to 4703.19 of the Revised Code do not 428
prevent persons other than architects from filing applications for 429
building permits or obtaining those permits. 430

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

units or structures within the meaning of the term "industrialized unit" as provided in section 3781.06 of the Revised Code. 437
438

(D) Sections 4703.01 to 4703.19 of the Revised Code do not 439
prevent persons other than architects from preparing drawings or 440
data, from filing applications for building permits, or from 441
obtaining those permits for the installation of replacement 442
equipment or systems that are similar in type or capacity to the 443
equipment or systems being replaced, and for any improvement, 444
alteration, repair, painting, decorating, or other modification of 445
any buildings or structures subject to sections 3781.06 to 3781.18 446
and 3791.04 of the Revised Code where the building official 447
determines that no plans or specifications are required for 448
approval. 449

(E) Sections 4703.01 to 4703.19 of the Revised Code do not 450
exclude a registered professional engineer from architectural 451
practice that may be incident to the practice of engineering or 452
exclude a registered architect from engineering practice that may 453
be incident to the practice of architecture. 454

(F) Sections 4703.01 to 4703.19 of the Revised Code do not 455
prevent a firm, partnership, association, limited liability 456
company, or corporation of architects registered under those 457
sections from providing architectural services and do not prevent 458
an individual registered as a landscape architect under sections 459
4703.30 to 4703.49 of the Revised Code or as a professional 460
engineer under Chapter 4733. of the Revised Code from being a 461
member or trustee of a firm, partnership, association, limited 462
liability company, or corporation of that type, but a member or 463
trustee of that type shall not engage in the practice of 464
architecture or hold forth as an architect contrary to sections 465
4703.01 to 4703.19 of the Revised Code and shall not practice a 466
profession in which the person is not licensed. 467

(G) A firm, partnership, association, limited liability 468

company, or corporation may provide architectural services in this 469
state as long as the services are provided only through natural 470
persons registered to provide those services in this state, 471
subject to the exemptions in section 4703.17 of the Revised Code 472
and subject otherwise to the requirements of sections 4703.01 to 473
4703.19 of the Revised Code. 474

(H) No firm, partnership, association, limited liability 475
company, or corporation, except a corporation that was granted a 476
charter prior to August 7, 1943, to engage in providing 477
architectural services or that was otherwise lawfully providing 478
architectural services prior to November 15, 1982, shall provide 479
architectural services, hold itself out to the public as providing 480
architectural services, or use a name including the word 481
"architect" or any modification or derivation of the word, unless 482
the firm, partnership, association, limited liability company, or 483
corporation files all information required to be filed under this 484
section with the ~~state board of examiners of architects~~ board and 485
otherwise complies with all requirements of sections 4703.01 to 486
4703.19 of the Revised Code. A nonprofit membership corporation 487
may use a name including the word "architect" or any modification 488
or derivation of the word without complying with this section. 489

(I) A corporation may be organized under Chapter 1701. of the 490
Revised Code, a professional association may be organized under 491
Chapter 1785. of the Revised Code, or a limited liability company 492
may be formed under Chapter 1705. of the Revised Code for the 493
purpose of providing professional engineering, surveying, 494
architectural, or landscape architectural services, or any 495
combination of those services. A corporation organized under 496
Chapter 1701. of the Revised Code for the purpose of providing 497
those services also may be organized for any other purpose in 498
accordance with that chapter. 499

(J) No firm, partnership, association, limited liability 500

company, or corporation shall provide or offer to provide 501
architectural services in this state unless more than fifty per 502
cent of the partners, members, or shareholders, more than fifty 503
per cent of the directors in the case of a corporation or 504
professional association, ~~and~~ more than fifty per cent of the 505
managers in the case of a limited liability company the management 506
of which is not reserved to its members, and more than fifty per 507
cent of the trustees in the case of an employee stock ownership 508
plan, are professional engineers, surveyors, architects, or 509
landscape architects or a combination of those professions, who 510
are registered in this or any other state and who own more than 511
fifty per cent of the interests in the firm, partnership, 512
association, limited liability company, or corporation; unless the 513
requirements of this division and of section 1785.02 of the 514
Revised Code are satisfied with respect to any professional 515
association organized under Chapter 1785. of the Revised Code; or 516
unless the requirements of this division and of Chapter 1705. of 517
the Revised Code are satisfied with respect to a limited liability 518
company formed under that chapter. 519

(K) Each firm, partnership, association, limited liability 520
company, or corporation through which architectural services are 521
offered or provided in this state shall designate one or more 522
trustees, partners, managers, members, officers, or directors as 523
being in responsible charge of the professional architectural 524
activities and decisions, and those designated persons shall be 525
registered in this state. In the case of a corporation holding a 526
certificate of authorization provided for in division (L) of this 527
section, at least one of the persons so designated shall be a 528
director of the corporation. Each firm, partnership, association, 529
limited liability company, or corporation of that type shall 530
annually file with the ~~state board of examiners of~~ architects 531
board the name and address of each trustee, partner, manager, 532
officer, director, member, or shareholder, and each firm, 533

partnership, association, limited liability company, or 534
corporation of that type shall annually file with the board the 535
name and address of all persons designated as being in responsible 536
charge of the professional architectural activities and decisions 537
and any other information the board may require. If there is a 538
change in any such person in the interval between filings, the 539
change shall be filed with the board in the manner and within the 540
time that the board determines. 541

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

architectural, or landscape architectural services or any 567
combination of those professions. The board, by rules adopted in 568
accordance with Chapter 119. of the Revised Code, may require any 569
firm, partnership, association, or limited liability company not 570
organized under Chapter 1701. of the Revised Code that provides 571
architectural services to obtain a certificate of authorization. 572
If the board so requires, no firm, partnership, association, or 573
limited liability company shall engage in providing architectural 574
services without obtaining the certificate and complying with the 575
rules. 576

(M) This section does not modify any law applicable to the 577
relationship between a person furnishing a professional service 578
and a person receiving that service, including liability arising 579
out of that service. 580

(N) Nothing in this section restricts or limits in any manner 581
the authority or duty of the ~~state board of examiners of~~ 582
architects board with respect to natural persons providing 583
professional services or any law or rule pertaining to standards 584
of professional conduct. 585

Sec. 4703.181. The ~~state board of examiners of~~ architects 586
board may apply to a court of competent jurisdiction for relief by 587
injunction or restraining order to enjoin or restrain a person, 588
firm, corporation, partnership, or any other group or combination 589
of persons from the commission of any act which is prohibited by 590
sections 4703.01 to 4703.19 of the Revised Code, or by rules 591
governing the standards of service, conduct, and practice to be 592
followed in the practice of the profession of architecture in the 593
state, as adopted by the board under Chapter 4703. of the Revised 594
Code. 595

The remedy provided by this section shall be in addition to 596
any other remedy provided by law. 597

Sec. 4703.19. The attorney general is hereby designated as 598
the legal advisor of the ~~state board of examiners of~~ architects 599
board. 600

Any person having knowledge of facts leading to the belief 601
that a violation of division (A) of section 4703.18 of the Revised 602
Code has occurred, may file an affidavit stating such facts with 603
the prosecuting attorney of the county in which such alleged 604
violation occurred, for the purpose of having a complaint filed by 605
such prosecuting attorney. 606

Sec. 4703.331. (A) A firm, partnership, association, limited 607
liability company, or corporation may provide landscape 608
architectural services in this state as long as the services are 609
provided only through natural persons registered to provide those 610
services in this state and subject to the requirements of this 611
chapter. 612

(B) No firm, partnership, association, limited liability 613
company, or corporation shall provide landscape architectural 614
services, hold itself out to the public as providing landscape 615
architectural services, or use a name including the word 616
"landscape architect" or any modification or derivation of the 617
word, unless the firm, partnership, association, limited liability 618
company, or corporation files all information required to be filed 619
under this section with the state board of landscape architect 620
examiners and otherwise complies with all requirements of this 621
chapter. A nonprofit membership corporation may use a name 622
including the word "landscape architect" or any modification or 623
derivation of the word without complying with this section. 624

(C) A corporation may be organized under Chapter 1701. of the 625
Revised Code, a professional association may be organized under 626
Chapter 1785. of the Revised Code, or a limited liability company 627

may be formed under Chapter 1705. of the Revised Code for the 628
purpose of providing professional engineering, surveying, 629
architectural, or landscape architectural services, or any 630
combination of those services. A corporation organized under 631
Chapter 1701. of the Revised Code for the purpose of providing 632
those services also may be organized for any other purpose in 633
accordance with that chapter. 634

(D) No firm, partnership, association, limited liability 635
company, or corporation shall provide or offer to provide 636
landscape architectural services in this state unless more than 637
fifty per cent of the partners, members, or shareholders, more 638
than fifty per cent of the directors in the case of a corporation 639
or professional association, ~~and~~ more than fifty per cent of the 640
managers in the case of a limited liability company the management 641
of which is not reserved to its members, and more than fifty per 642
cent of the trustees in the case of an employee stock ownership 643
plan, are professional engineers, surveyors, architects, or 644
landscape architects or a combination of those professions, who 645
are registered in this or any other state and who own more than 646
fifty per cent of the interests in the firm, partnership, 647
association, limited liability company, or corporation; unless the 648
requirements of this division and of section 1785.02 of the 649
Revised Code are satisfied with respect to any professional 650
association organized under Chapter 1785. of the Revised Code; or 651
unless the requirements of this division and of Chapter 1705. of 652
the Revised Code are satisfied with respect to a limited liability 653
company formed under that chapter. 654

(E) Each firm, partnership, association, limited liability 655
company, or corporation through which landscape architectural 656
services are offered or provided in this state shall designate one 657
or more trustees, partners, managers, members, officers, or 658
directors as being in responsible charge of the professional 659

landscape architectural activities and decisions, and those 660
designated persons shall be registered in this state. ~~In the case~~ 661
~~of a corporation holding a certificate of authorization provided~~ 662
~~for in division (F) of this section, at least one of the persons~~ 663
~~so designated shall be a director of the corporation.~~ Each firm, 664
partnership, association, limited liability company, or 665
corporation of that type shall annually file with the state board 666
of landscape architect examiners the name and address of each 667
trustees, partner, manager, officer, director, member, or 668
shareholder, and each firm, partnership, association, limited 669
liability company, or corporation of that type shall annually file 670
with the board the name and address of all persons designated as 671
being in responsible charge of the professional landscape 672
architectural activities and decisions and any other information 673
the board may require. If there is a change in any such person in 674
the interval between filings, the change shall be filed with the 675
board in the manner and within the time that the board determines. 676

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

interests in the corporation are professional engineers, 693
surveyors, architects, or landscape architects, or a combination 694
of those professions, who are registered in this or any other 695
state. Any corporation that holds a certificate of authorization 696
under this section and otherwise meets the requirements of this 697
chapter may be organized for any purposes for which corporations 698
may be organized under Chapter 1701. of the Revised Code and shall 699
not be limited to the purposes of providing professional 700
engineering, surveying, architectural, or landscape architectural 701
services or any combination of those services. The board, by rules 702
adopted in accordance with Chapter 119. of the Revised Code, may 703
require any firm, partnership, association, or limited liability 704
company not organized under Chapter 1701. of the Revised Code that 705
provides landscape architectural services to obtain a certificate 706
of authorization. If the board so requires, no firm, partnership, 707
association, or limited liability company shall engage in 708
providing landscape architectural services without obtaining the 709
certificate and complying with the rules. 710

(G) This section does not modify any law applicable to the 711
relationship between a person furnishing a professional service 712
and a person receiving that service, including liability arising 713
out of that service. 714

(H) Nothing in this section shall restrict or limit in any 715
manner the authority or duty of the state board of landscape 716
architect examiners with respect to natural persons providing 717
professional services or any law or rule pertaining to standards 718
of professional conduct. 719

Sec. 4703.34. (A) Any individual desiring to be registered as 720
a landscape architect may apply in writing to the state board of 721
landscape architect examiners in the manner prescribed by the 722
board. 723

(B) Except as provided in section 4703.35 of the Revised 724
Code, each application shall include, or be accompanied by, 725
evidence given under oath or affirmation and satisfactory to the 726
board that the applicant possesses the qualifications prescribed 727
by division (C) of this section and also possesses, or is in the 728
process of obtaining, one of the qualifications required by 729
division (D) of this section. Each applicant shall include in the 730
application a request for examination. The board shall permit an 731
applicant who is in the process of completing the requirement 732
specified in division (D) of this section to take an examination, 733
but the board shall not register such an applicant until the 734
applicant completes the requirement. 735

(C) Except as provided in section 4703.35 of the Revised 736
Code, each applicant for registration as a landscape architect 737
shall pass, to the satisfaction of the board, an examination 738
conducted under the authority of the board to determine the 739
fitness of the applicant for registration. The applicant shall be 740
at least eighteen years of age and of good moral character and 741
shall have obtained a professional degree in landscape 742
architecture from a program accredited by the national landscape 743
architect accrediting board. 744

(D) In addition to the qualifications required by division 745
(C) of this section, the applicant shall meet either of the 746
following requirements: 747

(1) Has completed three years of practical experience in the 748
office of ~~or~~ and under the direct supervision of a registered 749
landscape architect who is actively involved in the practice of 750
landscape architecture, or equivalent experience, as determined by 751
the board, provided that at least one year of the practical 752
experience or its equivalent as required by division (D)(1) of 753
this section shall have been completed by the applicant subsequent 754
to the completion of the educational requirements established by 755

division (C) of this section; 756

(2) Has completed the requirements for training under an 757
internship program established pursuant to rules adopted by the 758
board that includes, but is not limited to, training in design and 759
construction documents and construction administration and office 760
management, or has equivalent experience that is acceptable to the 761
board. 762

Sec. 4703.37. (A) The state board of landscape architect 763
examiners shall establish an application fee for obtaining 764
registration under section 4703.34 of the Revised Code and a fee 765
for obtaining registration under section 4703.35 of the Revised 766
Code. 767

(B) The fee to restore an expired certificate of 768
qualification is the renewal fee for the current certification 769
period, plus the renewal fee for each previous renewal period in 770
which the certificate was not renewed, plus a penalty of 771
twenty-five per cent of the total renewal fees for each renewal 772
period or part thereof in which the certificate was not renewed, 773
on the condition that the maximum fee shall not exceed an amount 774
established by the board. 775

(C) The board also shall establish the following fees: 776

(1) The fee for taking or retaking the examination described 777
in division (C) of section 4703.34 of the Revised Code at an 778
amount adequate to cover the expenses of procuring and grading the 779
examination plus a fee for retaking all or parts of the required 780
examination. 781

(2) The fee for a certificate of qualification or duplicate 782
thereof, as issued to a landscape architect registered under 783
sections 4703.33 to 4703.38 of the Revised Code. 784

(3) The fee for the biennial renewal of the certificate of 785

qualification and the fee for a duplicate renewal card. 786

(4) The fee to be charged an examinee for administering an 787
examination to the examinee on behalf of another jurisdiction. 788

(5) The fee for a certificate of authorization issued under 789
division (F) of section 4703.331 of the Revised Code, the fee for 790
annual renewal of a certificate of authorization, and the fee for 791
a duplicate certificate of authorization. 792

(6) The fee to cover costs for checks or other instruments 793
returned to the board by financial institutions due to 794
insufficient funds. 795

Sec. 4703.50. All receipts of the ~~state board of examiners of~~ 796
architects board and state board of landscape architect examiners 797
shall be deposited in the state treasury to the credit of the 798
occupational licensing and regulatory fund. All expenditures of 799
the boards shall be paid pursuant to vouchers approved by the 800
secretary or executive secretary of the ~~state board of examiners~~ 801
~~of~~ architects board, or both, as authorized by the board. 802
803

Sec. 4703.51. The ~~state board of examiners of~~ architects 804
board, subject to the approval of the controlling board and except 805
for fees required to be established by the board at amounts 806
"adequate" to cover designated expenses, may establish fees in 807
excess of the amounts provided in sections 4703.01 to 4703.19 of 808
the Revised Code, provided that such fees do not exceed the 809
amounts specified by these sections by more than fifty per cent. 810

Sec. 4703.52. On receipt of a notice pursuant to section 811
3123.43 of the Revised Code, the ~~state board of examiners of~~ 812
architects board and the state board of landscape architects 813
examiners shall comply with sections 3123.41 to 3123.50 of the 814

Revised Code and any applicable rules adopted under section 815
3123.63 of the Revised Code with respect to a certificate issued 816
pursuant to this chapter. 817

Section 2. That existing sections 125.22, 4703.01, 4703.02, 818
4703.03, 4703.04, 4703.05, 4703.06, 4703.07, 4703.08, 4703.09, 819
4703.10, 4703.11, 4703.12, 4703.13, 4703.14, 4703.15, 4703.151, 820
4703.16, 4703.18, 4703.181, 4703.19, 4703.331, 4703.34, 4703.37, 821
4703.50, 4703.51, and 4703.52 of the Revised Code are hereby 822
repealed. 823

Section 3. Section 125.22 of the Revised Code is presented in 824
this act as a composite of the section as amended by both Am. Sub. 825
H.B. 374 and Am. Sub. H.B. 496 of the 124th General Assembly. The 826
General Assembly, applying the principle stated in division (B) of 827
section 1.52 of the Revised Code that amendments are to be 828
harmonized if reasonably capable of simultaneous operation, finds 829
that the composite is the resulting version of the section in 830
effect prior to the effective date of the section as presented in 831
this act. 832