

**As Reported by the House Commerce and Labor Committee**

**127th General Assembly**

**Regular Session**

**2007-2008**

**Sub. S. B. No. 225**

**Senator Schaffer**

**Cosponsors: Senators Faber, Schuler, Austria, Gardner, Harris, Niehaus,**

**Seitz, Spada, Wilson**

**Representatives Hughes, Sykes**

—

**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 from this requirement on the recommendation of the director of	39 40 41 42 43

administrative services:	44
(a) Preparing and processing payroll and other personnel documents;	45 46
(b) Preparing and processing vouchers, purchase orders, encumbrances, and other accounting documents;	47 48
(c) Maintaining ledgers of accounts and balances;	49
(d) Preparing and monitoring budgets and allotment plans in consultation with the boards and commissions;	50 51
(e) Other routine support services that the director of administrative services considers appropriate to achieve efficiency.	52 53 54
(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.	55 56 57
(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.	58 59 60 61
(C) The director of administrative services shall be the appointing authority for the agency.	62 63
(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.	64 65 66
(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	67 68 69 70 71 72 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 165

assistants of the board shall give bond to the state in such sum 166  
as the board determines, but not less than three thousand dollars, 167  
conditioned upon the faithful discharge of their duties. Premiums 168  
for such bonds shall be paid by the board. Such bonds with 169  
approval of the board endorsed on them shall be deposited with the 170  
secretary of state and kept in ~~his~~ the secretary of state's 171  
office. 172

**Sec. 4703.04.** (A) The ~~state board of examiners of~~ architects 173  
board shall file with the governor, after the close of each fiscal 174  
year a full report of its operations as of the thirtieth day of 175  
June of said year, together with a statement of receipts and 176  
expenditures. 177

(B) A roster, showing the name, registration number, and 178  
address of all architects registered and in good standing as of 179  
the first day of April of each even-numbered year under sections 180  
4703.01 to 4703.19 of the Revised Code, shall be prepared by the 181  
board in each even-numbered year. 182

**Sec. 4703.05.** Three members of the ~~state board of examiners~~ 183  
~~of~~ architects board shall constitute a quorum, but no action at 184  
any meeting shall be taken without at least three votes in accord; 185  
and the regular and special meetings of the board shall be called 186  
and held in the manner and at the times and places prescribed in 187  
its rules. 188

**Sec. 4703.06.** (A) Any person shall, before engaging in the 189  
practice of architecture or before being styled or known as an 190  
architect, secure from the ~~state board of examiners of~~ architects 191  
board a certificate of ~~his~~ the person's qualifications to practice 192  
under the title of "architect," and be registered with the board. 193

Any person holding such certificate and being registered 194  
pursuant to sections 4703.01 to 4703.19 of the Revised Code may be 195

styled or known as an architect or as a registered architect. 196

No other person shall assume such title or use any 197  
abbreviation, or any words, letters, or figures, to indicate or 198  
imply that ~~he~~ the person is an architect or registered architect, 199  
except that persons may be authorized by the board to use the 200  
specific title "intern architect," "architectural intern," or 201  
"emeritus architect" as described in division (B) of this section. 202

(B) The board may authorize by rule any person to use the 204  
title "intern architect," "architectural intern," or "emeritus 205  
architect." The board may adopt any rules the board deems 206  
necessary pertaining to intern architects, architectural interns, 207  
and emeritus architects, including, but not limited to, rules 208  
pertaining to registration, registration fees, and renewal fees. 209

**Sec. 4703.07.** Unless certified and registered pursuant to 210  
rules adopted under section 4703.08 of the Revised Code, an 211  
applicant for a certificate of qualification to practice 212  
architecture shall: 213

(A) Be at least eighteen years of age; 214

(B) Be of good moral character; 215

(C) Submit satisfactory evidence of having obtained a 216  
professional degree in architecture from a school having a program 217  
accredited by the national accrediting board recognized by the 218  
~~state board of examiners of~~ architects board or other equivalent 219  
architectural education as is recognized by the ~~state board of~~ 220  
~~examiners of~~ architects board; 221

(D) Complete the requirements for training under an 222  
internship program established or adopted by the ~~state board of~~ 223  
~~examiners of~~ architects board, including, but not limited to, 224  
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 315  
architectural services shall, before or during the month of each 316

June preceding the year the holder desires to continue to provide 317  
architectural services, make application, together with the 318  
renewal fee provided in section 4703.16 of the Revised Code, for a 319  
renewal of the certificate. Each certificate shall be renewed for 320  
a term of one year except as provided in section 4703.12 of the 321  
Revised Code. 322

**Sec. 4703.14.** Any holder of a certificate of qualification to 323  
practice architecture that has expired through failure to be 324  
renewed as provided in section 4703.13 of the Revised Code may 325  
obtain a renewal of such certificate, at any time within one year 326  
from the date of its expiration, upon application to and with the 327  
approval of the ~~state board of examiners of~~ architects board. The 328  
time for renewal of such expired certificate may be extended at 329  
the discretion of the board. A certificate that has lapsed for a 330  
period of more than one year may be restored at the discretion of 331  
the board upon payment of the required fee. 332

**Sec. 4703.15.** (A) The ~~state board of examiners of~~ architects 333  
board may by three concurring votes deny renewal of, revoke, or 334  
suspend any certificate of qualification to practice architecture, 335  
issued or renewed under sections 4703.10, 4703.13, and 4703.14 of 336  
the Revised Code, or any certificate of authorization, issued or 337  
renewed under sections 4703.13 and 4703.18 of the Revised Code, if 338  
proof satisfactory to the board is presented in any of the 339  
following cases: 340

(1) In case it is shown that the certificate was obtained by 341  
fraud; 342

(2) In case the holder of the certificate has been found 343  
guilty by the board or by a court of justice of any fraud or 344  
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 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 guilty by the board of signing plans for the construction of a building as a "registered architect" where the holder is not the actual architect of such building and where the holder is without prior written consent of the architect originating the design or other documents used in the plans;

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

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

(B) In addition to disciplinary action the board may take against a certificate holder under division (A) of this section or section 4703.151 of the Revised Code, the board may impose a fine against a certificate holder who obtained a certificate by fraud or who is found guilty of any act specified in divisions (A)(2) to (A)(5) of this section or who violates any rule governing the

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 437  
unit" as provided in section 3781.06 of the Revised Code. 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.~~ 664  
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 board that the applicant possesses the qualifications prescribed by division (C) of this section and also possesses, or is in the process of obtaining, one of the qualifications required by division (D) of this section. Each applicant shall include in the application a request for examination. The board shall permit an applicant who is in the process of completing the requirement specified in division (D) of this section to take an examination, but the board shall not register such an applicant until the applicant completes the requirement.

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

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

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

(2) Has completed the requirements for training under an

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

**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