

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

SENATE BILL 77

4
5 By: Senator Hester

For An Act To Be Entitled

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7
8 AN ACT TO PROVIDE THAT BUILDING CONSTRUCTION PROJECTS
9 UNDER ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS DO NOT
10 REQUIRE AN OWNER TO SECURE THE SERVICES OF A LICENSED
11 ARCHITECT; AND FOR OTHER PURPOSES.

Subtitle

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15 TO PROVIDE THAT BUILDING CONSTRUCTION
16 PROJECTS UNDER ONE HUNDRED TWENTY-FIVE
17 THOUSAND DOLLARS DO NOT REQUIRE AN OWNER
18 TO SECURE THE SERVICES OF A LICENSED
19 ARCHITECT.

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code § 17-15-302 is amended to read as follows:
25 17-15-302. Exemptions.

26 (a) The following shall be exempt from the provisions of this chapter:

27 (1) A professional engineer, as defined in § 17-30-101, but only
28 for work incidental to engineering practice if the professional engineer does
29 not use the designation "architect" or any related term;

30 (2) Employees of those lawfully practicing architecture who are
31 acting under the instruction, control, or supervision of their employer;

32 (3) Officers and employees of the government of the United States
33 while engaged within this state in the practice of architecture for the
34 government;

35 (4) Residents of this state who do not use the title "architect"
36 or any term derived there from who act as designers for:

1 (A) Buildings that are to be constructed for personal use,
2 such as residences, if the buildings are not intended or adaptable for public
3 employment, assembly, or any other use under which they will be open to the
4 public;

5 (B) Single family detached, duplex, triplex, and quadruplex
6 dwellings; or

7 (C) Buildings whose total cumulative and fair market value
8 to complete, not including site, does not exceed ~~one hundred thousand dollars~~
9 ~~(\$100,000)~~ one hundred twenty-five thousand dollars (\$125,000); and

10 (5) Owners and employees of planing mills, woodworking
11 establishments, sash and door manufacturers, and jobbers in the designing,
12 planning, detailing, and preparation of data on millwork, woodwork, and
13 cabinetwork, provided they do not use the designation "architect" or any term
14 derived therefrom.

15 (b)(1) The terms of this chapter shall not apply to:

16 (A) Any public school district exempted from the provisions
17 of this chapter; or

18 (B) Every public school district embracing a city with a
19 population in excess of thirty thousand (30,000) which maintains a full-time
20 superintendent of buildings with engineering and architectural experience.

21 (2) This exception shall only apply:

22 (A) If the total cumulative and fair market value to
23 complete the repair and maintenance of buildings already constructed and
24 alterations thereof does not exceed the sum of ~~one hundred thousand dollars~~
25 ~~(\$100,000)~~ one hundred twenty-five thousand dollars (\$125,000); and

26 (B) If the total cumulative and fair market value to
27 complete the new structures will not exceed the sum of ~~one hundred thousand~~
28 ~~dollars (\$100,000)~~ one hundred twenty-five thousand dollars (\$125,000).

29 (c) The provisions of this chapter shall not apply to any public school
30 district, place of assembly, daycare, church, or building not more than one
31 (1) story high where:

32 (1) The total cumulative and fair market value to complete the
33 building, alteration, or structure does not exceed the sum of ~~one hundred~~
34 ~~thousand dollars (\$100,000)~~ one hundred twenty-five thousand dollars
35 (\$125,000); and

36 (2) The plans are approved by the State Fire Marshal.

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SECTION 2. Arkansas Code § 22-9-101(b), concerning observation by registered professionals, is amended to read as follows:

(b) Nothing in this section shall be held to apply to any public works wherein the contemplated capital improvement expenditure:

(1) For an engineering project does not exceed twenty-five thousand dollars (\$25,000); or

(2) For an architectural project does not exceed ~~one hundred thousand dollars (\$100,000)~~ one hundred twenty-five thousand dollars (\$125,000).