

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

SENATE BILL 77

By: Senator Hester

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

(2) This exception shall only apply:

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

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

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

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

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

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).