

House Bill 297

By: Representatives Powell of the 23rd, Westmoreland of the 104th, Byrd of the 170th and Snow of the 2nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 4 of Title 43 of the Official Code of Georgia Annotated,
2 relating to general provisions applicable to architects, so as to change certain provisions
3 relating to which structures do not require the seal of a registered architect; to provide that
4 nothing in this article shall be construed to mean that architectural construction contract
5 administration services are required to be performed exclusively by architects; to change the
6 provisions relating to architect seals and documents required to be sealed; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Article 1 of Chapter 4 of Title 43 of the Official Code of Georgia Annotated, relating to
11 general provisions applicable to architects, is amended by striking in its entirety Code
12 Section 43-4-14, relating to the practice of architecture, and inserting in lieu thereof a new
13 Code Section 43-4-14 to read as follows:

14 "43-4-14.

15 (a) In order to safeguard health, safety, and welfare, no person shall be allowed to practice
16 architecture unless he or she has the qualifications and competency required by this article.

17 Any person who is practicing architecture as defined in paragraph (6) of Code Section
18 43-4-1 shall be required to register under this article and to secure all renewals of such
19 registration before beginning or continuing to practice architecture.

20 (b) The following structures do not require the seal of a registered architect:

21 (1) One and two-family residences and domestic outbuildings regardless of cost;

22 (2) Any building classified as an agricultural occupancy upon any farm for the use of any
23 farmer; any state owned farmer's market;

24 (3) Any building ~~or structure~~ which is a single story building, not exceeding more than
25 ~~50~~ 5,000 square feet in ~~depth, with clear visibility of all exits~~ area, except new or existing
26 assembly occupancies, educational occupancies, health care occupancies, correctional or

1 detention facilities, hotels, dormitories or lodging facilities, multifamily housing or
2 apartment complexes, and care facilities;

3 ~~(4) Preengineered metal buildings and structures classified, with respect to ordinary~~
4 ~~hazard use, as storage use and not for human habitation and are one story in height~~
5 Engineered buildings classified as storage use that are one story in height; provided,
6 however, that the services of a duly registered architect shall be required for any
7 incidental office or retail space in such a building that exceeds 5,000 square feet in area;
8 and

9 (5) Nonload-bearing interior construction in existing or planned office structures which
10 were designed by a registered architect, where drawings and specifications are prepared
11 by a Georgia registered interior designer who also submits to the responsible building
12 official a notarized and signed statement on letterhead from a person in a position of
13 authority within the interior design firm certifying that the plans and specifications as
14 submitted are in full compliance with the current building codes and regulations in effect.

15 (c) The following persons are exempt from registration as an architect in this state:

16 (1) A nonresident who holds a license to practice architecture in the state or country in
17 which he or she resides and holds an NCARB certificate, but who is not registered in this
18 state, may offer architectural services in a response to a request for qualifications, an
19 interview, or a design competition only. Any offering or practice beyond this exception
20 shall require registration as an architect in Georgia;

21 (2) An employee of a registered architect or firm under subsection (b) of Code Section
22 43-4-10 who is not in charge of design or supervision and who works under the
23 supervision of a registered architect;

24 (3) An employee of the United States government while working in the scope of his or
25 her employment for the United States government; and

26 (4) A registered professional engineer or his or her employee or subordinate under his or
27 her responsible supervising control may perform architectural services which are
28 incidental to such engineering practice; provided, however, that no professional engineer
29 shall practice architecture or use the designation 'architect' or any term derived therefrom
30 unless registered under this article.

31 (d) Nothing in this article shall be construed to prohibit interior designers from performing
32 services authorized by Article 2 of this chapter.

33 (e) Nothing in this article shall be construed to prohibit a general contractor for
34 construction from offering to perform a design-build contract; provided, however, that such
35 offer shall clearly indicate at the time of such offer that all design services shall be
36 performed by a duly licensed and registered architect or engineer in compliance with all
37 other provisions of this chapter.

1 (f) Nothing in this article shall be construed to mean that predesign services, as defined in
2 Code Section 50-22-7, are required to be performed exclusively by architects.

3 (g) Nothing in this article shall be construed to mean that architectural construction
4 contract administration services, as defined in paragraph (2) of Code Section 43-4-1, are
5 required to be performed exclusively by architects."

6 SECTION 2.

7 Said article is further amended by striking in its entirety subsection (c) of Code Section
8 43-4-16, relating to architect seals and documents required to be sealed, and inserting in lieu
9 thereof a new subsection (c) to read as follows:

10 "(c)~~(1)~~ No plans, specifications, drawings, reports, or other documents shall be sealed and
11 signed by an architect unless:

12 ~~(A)~~(1) The architect has a current registration to practice in this state and is competent
13 in the subject matter of the documents by virtue of education or experience or both; ~~and~~

14 ~~(B)~~(2) The architect personally prepared the plans, specifications, drawings, reports, or
15 other documents, or the plans, specifications, drawings, reports, or other documents were
16 prepared under the architect's responsible control as provided in subsection (b) of Code
17 Section 43-4-10; ~~and~~

18 ~~(2)~~(3) The architect has been given full authority in writing by the original architect to
19 make document revisions and has made a substantive review and inspection of the
20 documents with regard to the laws and regulations of this state, and the documents are
21 prototypical drawings. For purposes of this paragraph, prototypical drawings are
22 drawings that may be prepared by an architect licensed in any country or United States
23 jurisdiction, that have been prepared in connection with the design of a commercial chain
24 establishment, and that have been successfully constructed in other states or countries."

25 SECTION 3.

26 All laws and parts of laws in conflict with this Act are repealed.