

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 298

5 By: Senator M. Lamoureux
6

For An Act To Be Entitled

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.
12
13

Subtitle

14 TO PROVIDE THAT BUILDING CONSTRUCTION
15 PROJECTS UNDER ONE HUNDRED TWENTY-FIVE
16 THOUSAND DOLLARS DO NOT REQUIRE AN OWNER
17 TO SECURE THE SERVICES OF A LICENSED
18 ARCHITECT.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

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) Professional engineers duly licensed or registered, but only
28 insofar as concerns work incidental to engineering practice, provided ~~such~~
29 those persons do not use the designation "architect" or any term derived
30 therefrom;

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

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

36 (4) Residents of this state who do not use the title "architect"



1 or any term derived therefrom who act as designers for:

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

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

8 (C) Buildings whose total cumulative and fair market value
9 to complete, not including site, does not exceed ~~one hundred thousand dollars~~
10 ~~(\$100,000)~~ one hundred twenty-five thousand dollars (\$125,000); and

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

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

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

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

22 (2) This exception shall only apply:

23 (A) If the total cumulative and fair market value to
24 complete the repair and maintenance of buildings already constructed and
25 alterations thereof does not exceed the sum of ~~one hundred thousand dollars~~
26 ~~(\$100,000)~~ one hundred twenty-five thousand dollars (\$125,000); and

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

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

33 (1) The total cumulative and fair market value to complete the
34 building, alteration, or structure does not exceed the sum of ~~one hundred~~
35 ~~thousand dollars (\$100,000)~~ one hundred twenty-five thousand dollars
36 (\$125,000); and

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

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

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

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

9 (2) For an architectural project does not exceed ~~one hundred~~
10 ~~thousand dollars (\$100,000)~~ one hundred twenty-five thousand dollars
11 (\$125,000).