

FIRST REGULAR SESSION

# HOUSE BILL NO. 586

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE KORMAN.

1239H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 327.041, RSMo, and to enact in lieu thereof one new section relating to design professionals.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 327.041, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 327.041, to read as follows:

327.041. 1. The board shall have the duty and the power to carry out the purposes and to enforce and administer the provisions of this chapter, to require, by summons or subpoena, with the vote of two-thirds of the voting board members, the attendance and testimony of witnesses, and the production of drawings, plans, plats, specifications, books, papers or any document representing any matter under hearing or investigation, pertaining to the issuance, probation, suspension or revocation of certificates of registration or certificates of authority provided for in this chapter, or pertaining to the unlawful practice of architecture, professional engineering, professional land surveying or professional landscape architecture.

2. The board shall, within the scope and purview of the provisions of this chapter, prescribe the duties of its officers and employees and adopt, publish and enforce the rules and regulations of professional conduct which shall establish and maintain appropriate standards of competence and integrity in the professions of architecture, professional engineering, professional land surveying and professional landscape architecture, and adopt, publish and enforce procedural rules and regulations as may be considered by the board to be necessary or proper for the conduct of the board's business and the management of its affairs, and for the effective administration and interpretation of the provisions of this chapter. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 in this chapter shall become effective only if it complies with and is subject to all of the  
19 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
20 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536  
21 to review, to delay the effective date or to disapprove and annul a rule are subsequently held  
22 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
23 August 28, 2001, shall be invalid and void.

24 3. Rules promulgated by the board pursuant to sections 327.272 to 327.635 shall be  
25 consistent with and shall not supersede the rules promulgated [by the department of natural  
26 resources] pursuant to chapter 60.

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