

FIRST REGULAR SESSION

SENATE BILL NO. 509

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOUGH.

Read 1st time February 28, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2418S.011

AN ACT

To repeal section 327.401, RSMo, and to enact in lieu thereof one new section relating to certificates of authority issued by the board of architects, professional engineers, professional land surveyors, and professional landscape architects.

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

Section A. Section 327.401, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 327.401, to read as follows:

327.401. 1. The right to practice as an architect or to practice as a
2 professional engineer or to practice as a professional land surveyor or to practice
3 as a professional landscape architect shall be deemed a personal right, based
4 upon the qualifications of the individual, evidenced by such individual's
5 professional license and shall not be transferable; but any architect or any
6 professional engineer or any professional land surveyor or any professional
7 landscape architect may practice his or her profession through the medium of, or
8 as a member or as an employee of, a partnership or corporation if the plans,
9 specifications, estimates, plats, reports, surveys or other like documents or
10 instruments of the partnership or corporation are signed and stamped with the
11 personal seal of the architect, professional engineer, professional land surveyor,
12 or professional landscape architect by whom or under whose immediate personal
13 supervision the same were prepared and provided that the architect or
14 professional engineer or professional land surveyor or professional landscape
15 architect who affixes his or her signature and personal seal to any such plans,
16 specifications, estimates, plats, reports or other documents or instruments shall
17 be personally and professionally responsible therefor.

18 2. Any domestic corporation formed under the corporation law of this
19 state, or any foreign corporation, now or hereafter organized and having as one

20 of its purposes the practicing of architecture or professional engineering or
21 professional land surveying or professional landscape architecture and any
22 existing corporation which amends its charter to propose to practice architecture
23 or professional engineering or professional land surveying or professional
24 landscape architecture shall obtain a certificate of authority for each profession
25 named in the articles of incorporation or articles of organization from the board
26 which shall be renewed in accordance with the provisions of section 327.171 or
27 327.261 or 327.351, as the case may be, and from and after the date of such
28 certificate of authority and while the authority or a renewal thereof is in effect,
29 may offer and render architectural or professional engineering or professional
30 land surveying or professional landscape architectural services in this state if:

31 (1) At all times during the authorization or any renewal thereof the
32 directors of the corporation shall have assigned responsibility for the proper
33 conduct of all its architectural or professional engineering or professional land
34 surveying or professional landscape architectural activities in this state to an
35 architect licensed and authorized to practice architecture in this state or to a
36 professional engineer licensed and authorized to practice engineering in this state
37 or to a professional land surveyor licensed and authorized to practice professional
38 land surveying in this state, or to a professional landscape architect licensed and
39 authorized to practice professional landscape architecture in this state, as the
40 case may be; and

41 (2) The person or persons who is or are personally in charge and
42 supervises or supervise the architectural or professional engineering or
43 professional land surveying or professional landscape architectural activities, as
44 the case may be, of any such corporation in this state shall be licensed and
45 authorized to practice architecture or professional engineering or professional
46 land surveying or professional landscape architecture, as the case may be, as
47 provided in this chapter; and

48 (3) The corporation pays such fees for the certificate of authority, renewals
49 or reinstatements thereof as are required;

50 (4) **The provisions of this subsection shall not apply to any not-**
51 **for-profit organization lawfully organized under the provisions of state**
52 **law.**

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