

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1793

By: Osburn

4  
5  
6 AS INTRODUCED

7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2021, Sections 46.1, 46.2, 46.3,  
9 46.4, 46.7, 46.9, 46.10, 46.11, 46.12, 46.14, 46.17,  
10 46.18, 46.19, 46.20, 46.21, 46.21b, 46.24, 46.25,  
11 46.28, 46.31, 46.34, 46.38, 46.39, 46.40, 46.41,  
12 46.42, 46.45, 46.46 and 46.47, which relate to the  
13 State Architectural and Registered Commercial  
14 Interior Designers Act; modifying various provisions  
15 of the act; changing name of act; changing name of  
16 registered commercial interior designers; providing  
17 for licensure; removing certification requirements;  
18 modifying definitions; changing name of the Board of  
19 Governors of the Architects, Landscape Architects and  
20 Licensed Interior Designers of Oklahoma; modifying  
21 powers and duties of the Board; modifying use of  
22 certain title; modifying renewal of license;  
23 modifying grounds for suspension, revocation or  
24 nonrenewal of license; providing exemption; providing  
an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 46.1, is  
amended to read as follows:

Section 46.1 Section 46.1 et seq. of this title shall be known  
and may be cited as the "State Architectural and ~~Registered~~  
~~Commercial~~ Licensed Interior Designers Act".

1 SECTION 2. AMENDATORY 59 O.S. 2021, Section 46.2, is  
2 amended to read as follows:

3 Section 46.2 In order to safeguard life, health and property  
4 and to promote public welfare, the professions of architecture,  
5 landscape architecture and ~~registered commercial~~ licensed interior  
6 design are declared to be subject to regulation in the public  
7 interest. It is unlawful for any person to practice or offer to  
8 practice architecture ~~or~~, landscape architecture, or licensed  
9 interior design in this state, as defined in the provisions of the  
10 State Architectural and ~~Registered Commercial~~ Licensed Interior  
11 Designers Act, use in connection with the person's name, or  
12 otherwise assume the title of architect, landscape architect or  
13 ~~registered commercial~~ licensed interior designer, or advertise any  
14 title or description tending to convey the impression that the  
15 person is a ~~licensed~~ an architect or landscape architect or  
16 ~~registered commercial~~ licensed interior designer unless the person  
17 is duly licensed or exempt from licensure ~~or registration~~ under the  
18 State Architectural and ~~Registered Commercial~~ Licensed Interior  
19 Designers Act. The practice of architecture ~~and~~, landscape  
20 architecture and the use of the titles architect, landscape  
21 architect and ~~registered commercial~~ licensed interior designer are  
22 privileges granted by the state through the Board of Governors of  
23 the ~~Licensed~~ Architects, Landscape Architects and ~~Registered~~  
24 ~~Commercial~~ Licensed Interior Designers of Oklahoma based upon the

1 qualifications of the individual as evidenced by a certificate of  
2 licensure ~~or registration~~ which shall not be transferable.

3 SECTION 3. AMENDATORY 59 O.S. 2021, Section 46.3, is  
4 amended to read as follows:

5 Section 46.3 As used in the State Architectural and ~~Registered~~  
6 ~~Commercial~~ Licensed Interior Designers Act:

7 1. "Architect" means any person who is licensed in the practice  
8 of architecture in the State of Oklahoma as hereinafter defined;

9 2. "Practice of architecture" means rendering or offering to  
10 render certain services, in connection with the design and  
11 construction, enlargement or alteration of a building or a group of  
12 buildings and the space surrounding such buildings, including  
13 buildings which have as their principal purpose human occupancy or  
14 habitation. The services referred to include planning, providing  
15 preliminary studies, designs, drawings, specifications,  
16 investigations and other technical submissions, the administration  
17 of construction contracts, and ~~the coordination of any elements of~~  
18 ~~technical submissions prepared by other consultants including, as~~  
19 ~~appropriate and without limitation, consulting engineers and~~  
20 ~~landscape architects~~ reviewing and coordinating technical  
21 submissions prepared by other licensed professionals for use in the  
22 construction or alteration of any building in the Code Use Groups  
23 subject to the State Architectural and Licensed Interior Designers  
24 Act; provided, that the practice of architecture shall include such

1 other professional services as may be necessary for the rendering of  
2 or offering to render architectural services;

3 3. ~~"Registration" or "license"~~ "License" means a ~~certificate of~~  
4 ~~registration or license~~ issued by the Board. ~~The definition of~~  
5 ~~"license" shall apply to those persons licensed under a practice~~  
6 ~~act. The definition of "registration" shall apply to those persons~~  
7 ~~registered under the title registered commercial interior designer~~  
8 ~~under this act;~~

9 4. "Building" means a structure consisting of a foundation,  
10 walls, all floors and roof, with or without other parts;

11 5. "Board" means the Board of Governors of the ~~Licensed~~  
12 ~~Architects, Landscape Architects and Registered Commercial~~ Licensed  
13 Interior Designers of Oklahoma;

14 6. "Certificate of authority" means the authorization granted  
15 by the Board for persons to practice or offer to practice  
16 architecture, ~~or~~ landscape architecture, or licensed interior design  
17 through a partnership, firm, association, corporation, limited  
18 liability company or limited liability partnership;

19 7. ~~"Certificate of title" means the authorization granted by~~  
20 ~~the Board for a partnership, firm, association, corporation, limited~~  
21 ~~liability company or limited liability partnership to use the title~~  
22 ~~registered commercial interior designer or any modification or~~  
23 ~~derivation of these terms;~~

24

1       ~~8.~~ "Technical submissions" means drawings, plans,  
2 specifications, studies and any other technical reports or documents  
3 which are issued in the course of practicing architecture, landscape  
4 architecture or ~~registered commercial~~ licensed interior design with  
5 the intent that they be considered as formal or final documents, but  
6 shall not include record drawings. Prototypical plans are not  
7 technical submissions;

8       ~~9.~~ 8. "Responsible control" means the amount of direct control  
9 and personal supervision of architectural, landscape architectural  
10 or ~~registered commercial~~ licensed interior ~~designer's~~ design work  
11 and detailed knowledge of the content of tactical and technical  
12 submissions during their preparation as is ordinarily exercised by  
13 ~~licensed~~ architects, landscape architects or ~~registered commercial~~  
14 licensed interior designers applying the required professional  
15 standard of care. The terms direct control and personal  
16 supervision, whether used separately or together, mean active and  
17 personal management of the firm's personnel and practice to maintain  
18 charge of, and concurrent direction over, architecture, landscape  
19 architecture or ~~the work of a registered commercial~~ licensed  
20 interior ~~designer's decisions~~ design and the instruments of  
21 professional services to which the licensee ~~or registrant~~ affixes  
22 the seal, signature, and date;

23       ~~10.~~ 9. "Landscape architect" means a person licensed to  
24 practice landscape architecture as provided in the State

1 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
2 Act;

3 ~~11.~~ 10. "Landscape architecture" means the performance of  
4 professional services defined as teaching, consultations,  
5 investigations, reconnaissance, research, planning, design,  
6 preparation of construction drawings and specifications,  
7 construction observation and the coordination of any elements of  
8 technical submissions prepared by others in connection with the  
9 planning and arranging of land and the elements thereon for public  
10 and private use and enjoyment, including the design and layout of  
11 roadways, service areas, parking areas, walkways, steps, ramps,  
12 pools, parks, parkways, trails and recreational areas, the location  
13 and site of improvements including buildings and other structures,  
14 and the grading of the land, surface and subsoil drainage, erosion  
15 control, planting, reforestation, and the preservation of the  
16 natural landscape, in accordance with accepted professional  
17 standards, and to the extent that the dominant purpose of such  
18 services or creative works is the preservation, conservation,  
19 enhancement, or determination of proper land uses, natural land  
20 features, ground cover and plantings, or naturalistic and aesthetic  
21 values.

22 The practice of landscape architecture shall include the  
23 location and arrangement of tangible objects and features as are  
24 incidental and necessary to the purpose outlined for landscape

1 architecture. The practice of landscape architecture shall not  
2 include the design of structures or facilities with separate and  
3 self-contained purposes for habitation or industry, or the design of  
4 public streets, highways, utilities, storm and sanitary sewers and  
5 sewage treatment facilities, that are statutorily defined as the  
6 practice of engineering or architecture;

7 ~~12.~~ 11. "Code" means the nationally recognized codes adopted by  
8 the Uniform Building Code Commission of the State of Oklahoma;

9 ~~13.~~ 12. "Applicable building official" means the official  
10 responsible for the application of the adopted building code as  
11 implemented by the local, municipal or county jurisdiction in which  
12 a building is located. Where no building code has been adopted by  
13 the local, municipal or county jurisdiction, the applicable building  
14 official shall be defined as the State Fire Marshal;

15 ~~14.~~ ~~"Registered commercial interior designer" means a person~~  
16 ~~recognized by this state who is registered, qualified by examination~~  
17 ~~and meeting all the requirements set forth in the State~~  
18 ~~Architectural and Registered Commercial Interior Designers Act and~~  
19 ~~the Board's rules;~~

20 13. "Licensed interior designer" means a person licensed to  
21 practice licensed interior design as provided in the State  
22 Architectural and Licensed Interior Designers Act;

23 ~~15.~~ 14. "Plans" means technical documents issued by the  
24 licensed ~~and/or registered~~ professionals intended to meet all

1 current and applicable codes as adopted by the Uniform Building Code  
2 Commission of the State of Oklahoma, other statutory codes and  
3 applicable federal codes and which shall be submitted to all  
4 required building code and/or permit offices required by the State  
5 of Oklahoma, county, municipal and/or federal government;

6 ~~16.~~ 15. "Equivalent standards" means those standards adopted by  
7 the Board intended to be used as alternative equivalents to  
8 determine competency for education, training and testing for  
9 ~~licensing~~ architects and/or, landscape architects and ~~registering~~  
10 ~~commercial licensed~~ interior designers and for complying with the  
11 Military Service Occupation, Education and Credentialing Act for  
12 military personnel and their spouses;

13 ~~17.~~ ~~"Commercial interior design" means the rendering of or the~~  
14 ~~offering to render designs, consultations, studies, planning,~~  
15 ~~drawings, specifications, contract documents or other technical~~  
16 ~~submissions and the administration of interior construction and~~  
17 ~~contracts relating to nonstructural interior construction by a~~  
18 ~~registered commercial interior designer in a new constructed or~~  
19 ~~existing building when the core and shell elements are not going to~~  
20 ~~be changed;~~

21 ~~18.~~ ~~"Nonstructural commercial interior construction" means the~~  
22 ~~construction of elements which do not include exterior components of~~  
23 ~~a building such as exterior walls, any load-bearing wall, any load-~~  
24 ~~bearing column or any other load-bearing elements of a building~~



1 ~~essential to the structural integrity of the building such as wind~~  
2 ~~loads and seismic loads and to any element which must be designed~~  
3 ~~for wind loads and seismic loads; and~~

4 16. "Licensed interior design" means the rendering of or the  
5 offering to render services relating to nonstructural interior  
6 construction by a licensed interior designer in a newly constructed  
7 or existing building, including but not limited to:

- 8 a. analysis, research, planning, and design of the  
9 interior spaces of a building for the purpose of  
10 enhancing and protecting the health, safety, and  
11 welfare of the public by preparation of interior  
12 drawings, specifications, or other technical  
13 submissions and administration of nonstructural  
14 interior construction,
- 15 b. design and specification of code-compliant interior  
16 finishes, furnishings, fixtures, or equipment,
- 17 c. design or modification of existing nonstructural  
18 interior partitions, doors, suspended ceiling systems,  
19 or constructed ceiling elements,
- 20 d. design or modification of existing internal  
21 circulation systems or number and configuration of  
22 interior exits for suite occupant load, or
- 23 e. review, analysis, and evaluation of building codes,  
24 accessibility standards, or guidelines for interior

1           planning, design, and nonstructural interior  
2           construction compliance;

3       17. "Nonstructural interior construction" means the  
4 construction of elements which do not include:

5           a. design of, or the responsibility for, architectural  
6           and engineering work, except as explicitly provided  
7           for in this act,

8           b. altering the building's existing primary structural,  
9           fire and life safety, mechanical, electrical, and  
10           plumbing systems, as set out in Oklahoma state law,  
11           this act, or the current International Building Code  
12           as adopted by the Oklahoma Uniform Building Code  
13           Commission, or other related primary building systems,  
14           and

15           c. changes to the building's core and shell; and

16       ~~19.~~ 18. "Fire and life safety systems" means those systems and  
17 construction that pertain to fire and life safety protection, such  
18 as fire sprinklers, fire alarms, smoke evacuation systems, fire  
19 walls, fire barriers or smoke barriers as defined by the current  
20 International Building Code adopted by the Oklahoma Uniform Building  
21 Code Commission.

22       The definitions in the State Architectural and ~~Registered~~  
23 ~~Commercial~~ Licensed Interior Designers Act shall have the same  
24

1 meaning when applicable to any rule promulgated pursuant to such  
2 act.

3 SECTION 4. AMENDATORY 59 O.S. 2021, Section 46.4, is  
4 amended to read as follows:

5 Section 46.4 There is hereby re-created, to continue until July  
6 1, 2023, in accordance with the provisions of the Oklahoma Sunset  
7 Law, a board to be known as the "Board of Governors of the ~~Licensed~~  
8 Architects, Landscape Architects and ~~Registered-Commercial~~ Licensed  
9 Interior Designers of Oklahoma", hereinafter referred to as the  
10 Board. The Board shall be composed of eleven (11) members including  
11 six persons who are duly licensed to practice architecture and are  
12 in good standing in this state, two persons who are duly licensed to  
13 practice landscape architecture and are in good standing in this  
14 state, two persons who are ~~registered-commercial~~ duly licensed  
15 interior designers and who are active and in good standing and one  
16 lay member. Each member of the Board shall be a qualified elector  
17 of this state, and the architect, landscape architect and ~~registered~~  
18 ~~commercial~~ licensed interior designer members shall have had five  
19 (5) years' licensing ~~or registration~~ experience as the professional  
20 position requires in this state. Re-creation of the Board shall not  
21 alter existing staggered terms. Board members, other than the lay  
22 member, shall be appointed for a period of five (5) years  
23 thereafter; provided, that nothing herein shall affect the tenure of  
24 office of anyone who is a member of the Board on May 31, 1957. A

1 member may be reappointed to succeed such membership. The ~~licensed~~  
2 architect, landscape architect or the ~~registered commercial~~ licensed  
3 interior designer members may be appointed by the Governor from a  
4 list of nominees submitted by respective professional societies of  
5 this state. Membership in a professional society shall not be a  
6 prerequisite to appointment to the Board. The lay member of the  
7 Board shall be appointed by the Governor to a term coterminous with  
8 that of the Governor. The lay member shall serve at the pleasure of  
9 the Governor. Provided, the lay member may continue to serve after  
10 the expiration of the term of the member until such time as a  
11 successor is appointed. Vacancies which may occur in the membership  
12 of the Board shall be filled by appointment by the Governor. Each  
13 person who has been appointed to fill a vacancy shall serve for the  
14 remainder of the term for which the member the person shall succeed  
15 was appointed and until a successor, in turn, has been appointed and  
16 shall have qualified. Each member of the Board, before entering  
17 upon the discharge of the duties of the member, shall make and file  
18 with the Secretary of State a written oath or affirmation for the  
19 faithful discharge of official duties. Each member of the Board and  
20 staff shall be reimbursed for travel expenses pursuant to the State  
21 Travel Reimbursement Act.

22 SECTION 5. AMENDATORY 59 O.S. 2021, Section 46.7, is  
23 amended to read as follows:

24

1 Section 46.7 In addition to the other powers and duties imposed  
2 by law, the Board of Governors of the Architects, Landscape  
3 Architects and Licensed Interior Designers of Oklahoma shall have  
4 the power and duty to:

5 1. Prescribe such rules and to make such orders, as it may deem  
6 necessary or expedient in the performance of its duties;

7 2. Prepare, conduct, and grade examinations of persons who  
8 shall apply for the issuance of licenses ~~and registrations~~ to them,  
9 and to promulgate such rules with reference thereto as it may deem  
10 proper as a portion used to determine competency for the issuance of  
11 licenses ~~or registrations~~;

12 3. Work with nationally recognized licensing ~~and registration~~  
13 organizations to prepare, conduct, and grade examinations, written  
14 or oral, of persons who shall apply for the issuance of licenses ~~or~~  
15 ~~registrations~~;

16 4. Determine the satisfactory passing score on examinations and  
17 issue licenses ~~and registrations~~ to persons who shall have passed  
18 examinations, or who shall otherwise be entitled thereto;

19 5. Determine eligibility for licenses and certificates of  
20 authority and issue them;

21 6. ~~Determine eligibility for registration as a registered~~  
22 ~~commercial interior designer and for certificate of title and issue~~  
23 ~~them;~~

1        ~~7.~~ Promulgate rules to govern the issuing of reciprocal  
2 licenses ~~and registrations~~;

3        ~~8.~~ 7. Upon good cause shown, as hereinafter provided, deny the  
4 issuance of a license, ~~registration,~~ or certificate of authority ~~or~~  
5 ~~certificate of title~~ or suspend, revoke, refuse to renew or issue  
6 probation orders for licenses ~~or registrations~~, and/or require  
7 additional educational coursework and determine when the objectives  
8 have been met;

9        ~~9.~~ 8. Upon proper showing, reinstate or conditionally reinstate  
10 licenses, ~~registrations,~~ ~~certificates of title~~ or certificates of  
11 authority previously issued;

12        ~~10.~~ 9. Review, affirm, reverse, vacate or modify its order with  
13 respect to any such denial, suspension, revocation, probation and/or  
14 educational coursework requirements or refusal to renew;

15        ~~11.~~ 10. Prescribe rules governing proceedings for the denial of  
16 issuance of a license, ~~registration,~~ or certificate of authority ~~or~~  
17 ~~certificate of title~~, suspension, revocation or refusal to renew, to  
18 issue probation orders and/or require additional educational  
19 coursework and determine when the objectives have been met for  
20 cause, and reinstate them;

21        ~~12.~~ 11. Prescribe such penalties, as it may deem proper, to be  
22 assessed against holders of licenses, ~~registrations,~~ or certificates  
23 of authority ~~or certificates of title~~ for the failure to pay the  
24 biennial fee hereinafter provided for;

1       ~~13.~~ 12. Levy civil penalties plus the legal costs incurred by  
2 the Board to prosecute the case against any person or entity who  
3 shall violate any of the provisions of the State Architectural and  
4 ~~Registered Commercial~~ Licensed Interior Designers Act, or any rule  
5 promulgated pursuant thereto;

6       ~~14.~~ 13. Obtain an office, secure such facilities, and employ,  
7 direct, discharge and define the duties and set the salaries of such  
8 office personnel and set the salaries of such unclassified and  
9 exempt office personnel as deemed necessary by the Board;

10       ~~15.~~ 14. Initiate disciplinary action, prosecute and seek  
11 injunctions against any person or entity who has violated any of the  
12 provisions of the State Architectural and ~~Registered Commercial~~  
13 Licensed Interior Designers Act or any rule of the Board promulgated  
14 pursuant to said act and against the owner/developer of the building  
15 type not exempt;

16       ~~16.~~ 15. Investigate alleged violations of the State  
17 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
18 Act or of the rules, orders or final decisions of the Board;

19       ~~17.~~ 16. Promulgate rules of conduct governing the practice of  
20 ~~licensed~~ architects, landscape architects and ~~registered commercial~~  
21 licensed interior designers;

22       ~~18.~~ 17. Keep accurate and complete records of proceedings, and  
23 certify the same as may be appropriate;

1       ~~19.~~ 18. Whenever it deems it appropriate, confer with the  
2 Attorney General or the Attorney General's assistants in connection  
3 with all legal matters and questions. The Board may also retain an  
4 attorney who is licensed to practice law in this state. The  
5 attorney shall serve at the pleasure of the Board for such  
6 compensation as may be provided by the Board. The attorney shall  
7 advise the Board and perform legal services for the Board with  
8 respect to any matters properly before the Board. In addition to  
9 the above, the Board may employ hearing examiners to conduct  
10 administrative hearings under the provisions of the Administrative  
11 Procedures Act;

12       ~~20.~~ 19. Prescribe by rules, fees to be charged as required by  
13 this act;

14       ~~21.~~ 20. Adopt rules providing for a program of continuing  
15 education in order to ensure that all ~~licensed~~ architects ~~or,~~  
16 landscape architects, and ~~registered commercial~~ licensed interior  
17 designers remain informed of those technical and professional  
18 subjects that the Board deems appropriate. The Board may by rule  
19 describe the methods by which the requirements of such program may  
20 be satisfied. Failure to meet such requirements of continuing  
21 education shall result in nonrenewal of the license issued to the  
22 architect ~~or,~~ landscape architect, or ~~nonrenewal of the registration~~  
23 ~~issued to the registered commercial~~ licensed interior designer;

24



1       ~~22.~~ 21. Adopt rules regarding requirements for intern  
2 development as a prerequisite for licensure ~~or registration~~;

3       ~~23.~~ 22. Give scholarships, as determined by the Board, to an  
4 individual or individuals advancing toward obtaining an accredited  
5 National Architectural Accreditation Board, Landscape Architectural  
6 Accreditation Board or Council for Interior Design Accreditation  
7 degree in one of these three professions in an Oklahoma higher  
8 education institution; and

9       ~~24.~~ 23. Take such other action as may be reasonably necessary  
10 or appropriate to effectuate the State Architectural and ~~Registered~~  
11 ~~Commercial~~ Licensed Interior Designers Act. The Board may, at its  
12 discretion, contract with other state agencies and nonprofit  
13 corporations for the endowment, management, and administration of  
14 scholarships. The requirements of such scholarships shall be  
15 determined by the Board. However, nothing contained herein shall be  
16 construed as requiring the Board to endow or award any scholarship.

17       SECTION 6.       AMENDATORY       59 O.S. 2021, Section 46.9, is  
18 amended to read as follows:

19       Section 46.9 A. The practice of architecture ~~or~~, landscape  
20 architecture, or licensed interior design or offering to practice  
21 these professions for others by persons licensed under this act  
22 through a partnership, firm, association, corporation, limited  
23 liability company or limited liability partnership as directors,  
24 partners, officers, shareholders, employees, managers, members or

1 principals is permitted, subject to the provisions of the State  
2 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
3 Act, provided:

4 1. One or more of the directors, partners, officers,  
5 shareholders, managers, members or principals of said partnership,  
6 firm, association, corporation, limited liability company or limited  
7 liability partnership is designated as being responsible for the  
8 entity's activities and decisions of said partnership, firm,  
9 association, corporation, limited liability company or limited  
10 liability partnership;

11 2. Such director, partner, officer, shareholder, manager,  
12 member or principal is duly licensed under the State Architectural  
13 and ~~Registered Commercial~~ Licensed Interior Designers Act;

14 3. All personnel of said partnership, firm, association,  
15 corporation, limited liability company or limited liability  
16 partnership ~~which~~ who act on behalf of the entity for these  
17 professions in the state are licensed under the State Architectural  
18 and ~~Registered Commercial~~ Licensed Interior Designers Act; and

19 4. Said partnership, firm, association, corporation, limited  
20 liability company or limited liability partnership has been issued a  
21 certificate of authority by the Board.

22 B. The Board shall have the power to issue, revoke, deny, or  
23 refuse to renew a certificate of authority for a partnership, firm,  
24 association, corporation, limited liability company or limited

1 liability partnership as provided for in the State Architectural and  
2 ~~Registered Commercial~~ Licensed Interior Designers Act.

3 C. A partnership, firm, association, corporation, limited  
4 liability company or limited liability partnership desiring to  
5 practice architecture ~~or~~, landscape architecture, or licensed  
6 interior design shall file with the Board an application for a  
7 certificate of authority for each office location performing work on  
8 Oklahoma projects on a form approved by the Board which shall  
9 include the names, addresses, state of licensure and license number  
10 of all partners, directors, officers, members, managers or  
11 principals of the partnership, firm, association, corporation,  
12 limited liability company or limited liability partnership legally  
13 responsible for the entity's practice. The form shall name an  
14 individual having the practice of architecture in such person's  
15 charge who is a director, partner, officer, member, manager or  
16 principal. The person shall be duly licensed as an architect to  
17 practice architecture or licensed as a landscape architect to  
18 practice landscape architecture, or as a licensed interior designer  
19 to practice licensed interior design in this state through said  
20 partnership, firm, association, corporation, limited liability  
21 company or limited liability partnership legally responsible for the  
22 entity's practice or services offered and other information required  
23 by the Board. In the event there shall be a change in any of these  
24 persons during the term of the certification, such change shall be

1 filed with the Board within thirty (30) days after the effective  
2 date of said change. If all of the requirements of this section and  
3 the Board's current rules have been met, the Board shall issue a  
4 certificate of authority to such partnership, firm, association,  
5 corporation, limited liability company or limited liability  
6 partnership.

7 D. Any other person licensed pursuant to the State  
8 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
9 Act, not practicing these professions as a partnership, firm,  
10 association, corporation, limited liability company or limited  
11 liability partnership, shall practice as an individual.

12 E. No such partnership, firm, association, corporation, limited  
13 liability company or limited liability partnership shall be relieved  
14 of responsibility for the conduct or acts of its agents, employees,  
15 partners, directors, officers, managers, members or principals by  
16 reason of its compliance with the provisions of this section, or  
17 shall any individual practicing these professions be relieved of  
18 responsibility for professional services performed as an individual  
19 by reason of such person's employment or relationship with such  
20 partnership, firm, association, corporation, limited liability  
21 company or limited liability partnership.

22 F. The Secretary of State shall not issue a certificate of  
23 incorporation or register a foreign corporation or any other entity  
24 which includes among the objectives for which it is established any

1 of the words "Architect", "Architectural", "Architecture",  
2 "Landscape Architect", "Landscape Architecture", "Licensed Interior  
3 Designer", or "Licensed Interior Design", or any modification or  
4 derivation of these words, unless the Board has issued for said  
5 applicant either a certificate of authority for an entity, or a  
6 letter indicating eligibility for an exemption pursuant to the State  
7 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
8 Act. The entity applying shall supply such certificate or letter  
9 from the Board with its application for incorporation or  
10 registration.

11 G. The Secretary of State shall not register any trade name or  
12 service mark which includes such words, as set forth in subsection F  
13 of this section, or modifications or derivatives thereof in its firm  
14 name or logotype except those entities or individuals holding  
15 certificates of authority issued under the provisions of this  
16 section or letters of eligibility issued by the Board.

17 ~~H. The use of the title "Registered Commercial Interior~~  
18 ~~Designer" by a partnership, firm, association, corporation, limited~~  
19 ~~liability company or limited liability partnership is allowed to~~  
20 ~~those entities listed, provided:~~

21 ~~1. One or more of the directors, partners, officers,~~  
22 ~~shareholders, members, managers or principals is registered with the~~  
23 ~~Board as a registered commercial interior designer and is in good~~  
24 ~~standing with the Board; and~~

1       ~~2. The partnership, firm, association, corporation, limited~~  
2 ~~liability company or limited liability partnership has been issued a~~  
3 ~~certificate of title by the Board.~~

4       ~~I. The Board shall have the power to issue, revoke, deny or~~  
5 ~~refuse to renew a certificate of title for a partnership, firm,~~  
6 ~~association, corporation, limited liability company or limited~~  
7 ~~liability partnership as provided for in the State Architectural and~~  
8 ~~Registered Commercial Interior Designers Act.~~

9       ~~J. A partnership, firm, association, corporation, limited~~  
10 ~~liability company or limited liability partnership shall file with~~  
11 ~~the Board an application for a certificate of title on a form~~  
12 ~~approved by the Board which shall include the names, addresses,~~  
13 ~~state of registration and registration number of all directors,~~  
14 ~~partners, officers, shareholders, members, managers, or principals~~  
15 ~~of the partnership, firm, association, corporation, limited~~  
16 ~~liability company or limited liability partnership. In the event~~  
17 ~~there shall be a replacement of any of these persons during the term~~  
18 ~~of certification, the change shall be filed with the Board within~~  
19 ~~thirty (30) days after the effective date of the change. If all the~~  
20 ~~requirements of this section, this act and the current rules of the~~  
21 ~~Board have been met, the Board shall issue a certificate of title to~~  
22 ~~such partnership, firm, association, corporation, limited liability~~  
23 ~~company or limited liability partnership.~~

1       ~~K. The Secretary of State shall not issue a certificate of~~  
2 ~~incorporation or register a foreign corporation or any other entity~~  
3 ~~which includes among the objectives for which it is established any~~  
4 ~~of the words "Registered Commercial Interior Designer" or any~~  
5 ~~modification or derivation of these words, unless the Board has~~  
6 ~~issued for the applicant either a certificate of title for an~~  
7 ~~entity, or a letter indicating the eligibility for an exemption~~  
8 ~~pursuant to the State Architectural and Registered Commercial~~  
9 ~~Interior Designers Act. The firm applying shall supply such~~  
10 ~~certificate of title or letter from the Board with its application~~  
11 ~~for incorporation or registration.~~

12       ~~L. The Secretary of State shall not register any trade name or~~  
13 ~~service mark which includes such words as set forth in subsection K~~  
14 ~~of this section, or modification or derivatives thereof in its firm~~  
15 ~~name or logotype except those entities or individuals holding~~  
16 ~~certificates of title issued under the provisions of this section or~~  
17 ~~letters of eligibility issued by the Board.~~

18       ~~M. Upon application for renewal and upon compliance with the~~  
19 ~~provisions of the State Architectural and Registered Commercial~~  
20 ~~Interior Designers Act and the rules of the Board, a certificate of~~  
21 ~~title shall be renewed as provided in this act.~~

22       ~~N. Upon application for renewal and upon compliance with the~~  
23 ~~provisions of the State Architectural and Registered Commercial~~  
24

1 Licensed Interior Designers Act and the rules of the Board, a  
2 certificate of authority shall be renewed as provided in this act.

3 SECTION 7. AMENDATORY 59 O.S. 2021, Section 46.10, is  
4 amended to read as follows:

5 Section 46.10 Every licensed architect, landscape architect and  
6 ~~registered commercial~~ licensed interior designer shall pay to the  
7 Board a fee as prescribed by the rules of the Board. Upon receipt  
8 of the fee the Board shall issue a renewal of the license ~~or~~  
9 ~~registration~~, which shall authorize the person to practice  
10 architecture, landscape architecture or ~~use the title registered~~  
11 ~~commercial~~ licensed interior ~~designer~~ design, as the case may be, in  
12 this state. The license of an architect ~~or~~, landscape architect, or  
13 ~~the registration of a registered commercial~~ licensed interior  
14 designer which has been canceled by the Board for nonpayment of dues  
15 may be renewed at any time within three (3) years from the date of  
16 the cancellation, upon payment to the Board of the fees which had  
17 accrued at the time of the cancellation and which would have been  
18 paid at the time of reinstatement had not the license ~~or~~  
19 ~~registration~~ been suspended, together with payment of the amount of  
20 penalties which may have been prescribed by the Board. If a license  
21 ~~or registration~~ remains canceled for a period exceeding three (3)  
22 consecutive years, it shall not be reinstated unless the licensee ~~or~~  
23 ~~registrant~~ has taken or submitted to a test or a quiz or a Board  
24 review or an examination as the circumstances of the individual case



1 may warrant and as may be prescribed by the Board in order to  
2 determine continued competency of the licensee ~~or registrant~~. A  
3 partnership, firm, association, corporation, limited liability  
4 company or limited liability partnership shall pay to the Board the  
5 fee prescribed and in the manner provided by the rules of the Board  
6 for the renewal of the certificate of authority ~~or certificate of~~  
7 ~~title~~ for such partnership, firm, association, corporation, limited  
8 liability company or limited liability partnership.

9 SECTION 8. AMENDATORY 59 O.S. 2021, Section 46.11, is  
10 amended to read as follows:

11 Section 46.11 No license ~~for architects or landscape architects~~  
12 or a certificate of authority ~~for a partnership, firm, association,~~  
13 ~~corporation, limited liability company or limited liability~~  
14 ~~partnership,~~ shall be issued or renewed for longer than two (2)  
15 years. A license or certificate may be renewed upon application,  
16 compliance with this act or the rules of the Board, and payment of  
17 fees prior to or on June 30 of alternate years. Every ~~licensed~~  
18 architect ~~or~~, landscape architect, or licensed interior designer  
19 having a place of business or employment within the state shall  
20 display such person's license in a conspicuous place in such place  
21 of business or employment. A new license to replace a lost,  
22 destroyed or mutilated license shall be issued by the Board upon  
23 payment of a fee established in accordance with the rules of the  
24 Board.

1 SECTION 9. AMENDATORY 59 O.S. 2021, Section 46.12, is  
2 amended to read as follows:

3 Section 46.12 After the expiration of a period of six (6)  
4 months and upon payment to the Board of a fee as prescribed by the  
5 rules of the Board, a person or entity whose license, ~~registration~~  
6 or certificate of authority has been suspended or revoked for cause,  
7 pursuant to the provisions of the State Architectural and ~~Registered~~  
8 ~~Commercial~~ Licensed Interior Designers Act, may file an application  
9 with the Board for the reinstatement of said license, ~~registration,~~  
10 or certificate of authority ~~or certificate of title~~. After a  
11 showing has been made by the applicant to the Board that the  
12 interests of the public will not suffer by reason of reinstatement,  
13 the Board in its discretion may order the reinstatement of the  
14 license, ~~registration,~~ or certificate of authority ~~or certificate of~~  
15 ~~title~~ upon the payment of a sum equal to the fees which would have  
16 accrued had not the license, ~~registration,~~ or certificate of  
17 authority ~~or certificate of title~~ of the applicant been suspended or  
18 revoked.

19 SECTION 10. AMENDATORY 59 O.S. 2021, Section 46.14, is  
20 amended to read as follows:

21 Section 46.14 A. The Board of Governors of the ~~Licensed~~  
22 Architects, Landscape Architects and ~~Registered Commercial~~ Licensed  
23 Interior Designers of Oklahoma shall have power to suspend, to  
24 revoke or refuse to renew a license, ~~registration,~~ or certificate of

1 authority ~~or certificate of title~~ issued by it, pursuant to the  
2 provisions of the State Architectural and ~~Registered Commercial~~  
3 Licensed Interior Designers Act, when the holder thereof:

4 1. Has been convicted of a felony crime that substantially  
5 relates to the practice of architecture, landscape architecture or  
6 licensed interior design and poses a reasonable threat to public  
7 safety;

8 2. Has been guilty of fraud or misrepresentation;

9 3. Has been guilty of gross incompetence or recklessness in the  
10 practice of architecture relating to the construction of buildings  
11 or structures, or of dishonest practices;

12 4. Has been guilty of gross incompetence or recklessness in the  
13 practice of landscape architecture, or of dishonest practices;

14 5. Has been guilty of gross incompetence or recklessness in the  
15 practice of licensed interior design, or of dishonest practices;

16 6. Presents the license, ~~registration~~ or certification of  
17 another as his or her own;

18 ~~6.~~ 7. Gives false or forged evidence to the Board;

19 ~~7.~~ 8. Conceals information relative to any inquiry,  
20 investigation or violation of this act or rules promulgated under  
21 this act; or

22 ~~8.~~ 9. Has been found to be guilty of a violation of a provision  
23 of the State Architectural and ~~Registered Commercial~~ Licensed  
24 Interior Designers Act, or the rules of the Board; provided, that a

1 person or entity complained of shall be afforded the opportunity for  
2 a formal hearing carried out as described under the current  
3 Administrative Procedures Act or settled by the Board with a consent  
4 order or final order approved by the Board.

5 The Board shall keep a record of the evidence in, and a record  
6 of each proceeding for the suspension, revocation of or refusal to  
7 renew a license or certificate of authority and shall make findings  
8 of fact and render a decision therein. If, after a hearing, the  
9 charges shall have been found to have been sustained by the vote of  
10 a majority of the members of the Board it shall immediately enter  
11 its order of suspension, revocation, penalties, probation,  
12 educational coursework and objectives or refusal to renew, as the  
13 case may be.

14 B. As used in this section:

15 1. "Substantially relates" means the nature of criminal conduct  
16 for which the person was convicted has a direct bearing on the  
17 fitness or ability to perform one or more of the duties or  
18 responsibilities necessarily related to the occupation; and

19 2. "Poses a reasonable threat" means the nature of criminal  
20 conduct for which the person was convicted involved an act or threat  
21 of harm against another and has a bearing on the fitness or ability  
22 to serve the public or work with others in the occupation.

23 SECTION 11. AMENDATORY 59 O.S. 2021, Section 46.17, is  
24 amended to read as follows:

1       Section 46.17 Any person or entity convicted of violating any  
2 provision of the State Architectural and ~~Registered Commercial~~  
3 Licensed Interior Designers Act shall be guilty of a misdemeanor.  
4 The continued violation of any provision of the State Architectural  
5 and ~~Registered Commercial~~ Licensed Interior Designers Act during  
6 each day shall be deemed to be a separate offense. Upon conviction  
7 thereof, the person or entity shall be punished by imprisonment in  
8 the county jail not to exceed one (1) year, or by a fine of not more  
9 than One Thousand Dollars (\$1,000.00), or by both such fine and  
10 imprisonment for each offense. The Board may request the  
11 appropriate district attorney to prosecute such violation and seek  
12 an injunction against such practice.

13       SECTION 12.       AMENDATORY       59 O.S. 2021, Section 46.18, is  
14 amended to read as follows:

15       Section 46.18 A. Any person or entity who has been determined  
16 by the Board to have violated any provision of the State  
17 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
18 Act or any rule or order issued pursuant to the provisions of the  
19 State Architectural and ~~Registered Commercial~~ Licensed Interior  
20 Designers Act may be liable for a civil penalty of not more than One  
21 Hundred Dollars (\$100.00) for each day that said violation continues  
22 plus the legal costs incurred by the Board to prosecute the case.  
23 The maximum civil penalty shall not exceed Ten Thousand Dollars  
24

1 (\$10,000.00) for any violation plus the legal costs incurred by the  
2 Board to prosecute the case.

3 B. The amount of the penalty shall be assessed by the Board  
4 pursuant to the provisions of subsection A of this section, after  
5 notice and hearing. In determining the amount of the penalty, the  
6 Board shall include but not be limited to consideration of the  
7 nature, circumstances, and gravity of the violation and, with  
8 respect to the person or entity found to have committed the  
9 violation, the degree of culpability, the effect on ability of the  
10 person or entity to continue to do business, and any show of good  
11 faith in attempting to achieve compliance with the provisions of the  
12 State Architectural and ~~Registered Commercial~~ Licensed Interior  
13 Designers Act. All monies collected from such civil penalties shall  
14 be deposited with the State Treasurer of Oklahoma and placed in the  
15 Board of Architects' Fund.

16 C. Any license, ~~registration,~~ or certificate of authority ~~or~~  
17 ~~certificate of title~~ holder may elect to surrender the license,  
18 ~~registration,~~ or certificate of authority ~~or certificate of title~~ in  
19 lieu of said fine but shall be forever barred from obtaining a  
20 reissuance of said license, ~~registration,~~ or certificate of  
21 authority ~~or certificate of title~~.

22 SECTION 13. AMENDATORY 59 O.S. 2021, Section 46.19, is  
23 amended to read as follows:

24

1 Section 46.19 All monies which shall be paid to the Board  
2 pursuant to the provisions of the State Architectural and ~~Registered~~  
3 ~~Commercial~~ Licensed Interior Designers Act shall be deposited with  
4 the State Treasurer of Oklahoma and placed in a separate and  
5 distinct fund to be known as the "Board of Architects' Fund". At  
6 the end of each fiscal year hereafter such unexpended balance  
7 remaining in the Board of Architects' Fund shall be carried over and  
8 continued therein. All sums of money now or hereafter to be or to  
9 come into the fund are hereby appropriated for the purpose of  
10 effectuating the purposes of the State Architectural and ~~Registered~~  
11 ~~Commercial~~ Licensed Interior Designers Act, and to pay all costs and  
12 expenses heretofore and hereafter incurred in connection therewith.

13 SECTION 14. AMENDATORY 59 O.S. 2021, Section 46.20, is  
14 amended to read as follows:

15 Section 46.20 At the close of each fiscal year, the Board shall  
16 make a full report of its proceedings during the year to the  
17 Governor and shall pay into the General Revenue Fund of the state  
18 ten percent (10%) of all license, ~~registration,~~ and certificate of  
19 authority ~~and certificate of title~~ issuance and renewal fees  
20 collected and received during the fiscal year.

21 SECTION 15. AMENDATORY 59 O.S. 2021, Section 46.21, is  
22 amended to read as follows:

23 Section 46.21 A. The State Architectural and ~~Registered~~  
24 ~~Commercial~~ Licensed Interior Designers Act shall not apply to any

1 persons, firms, corporations, limited liability companies or limited  
2 liability partnerships that do not hold a license, ~~registration~~ or  
3 certification in any jurisdiction for exempted Code Use Groups  
4 defined by the State Architectural and ~~Registered Commercial~~  
5 Licensed Interior Designers Act, providing such persons and/or  
6 entities shall not represent such person or entity to be an  
7 architect, licensed interior designer, or other title of profession  
8 or business using a form of the ~~word~~ words, "Architect" or "Licensed  
9 Interior Designer". This act shall not prevent such persons and/or  
10 entities from advertising or selling their services.

11 Any architect, landscape architect or ~~registered commercial~~  
12 licensed interior designer from any jurisdiction ~~that~~ who contracts,  
13 provides or holds out to the public that ~~they are~~ he or she is able  
14 to provide professional services in Oklahoma is required to hold a  
15 license, ~~registration~~ or certificate of authority ~~or certificate of~~  
16 ~~title~~ as needed from the Board, even on exempt Code Use Groups, and  
17 an architect ~~or~~, landscape architect, or licensed interior designer  
18 is required to sign, seal and date all construction documents and  
19 technical submissions.

20 B. Nothing in this act shall be construed to prevent the  
21 preparation of technical submissions or the administration of  
22 construction contracts by employees of a person or entity lawfully  
23 engaged in the practice of architecture when such employees are  
24 acting under the responsible control of ~~a licensed~~ an architect.



1 C. The following shall govern design competitions in the state:

2 1. Nothing in this act shall prohibit a person or firm from  
3 participating in an architectural design competition involving only  
4 architectural programming, planning, schematic design or design  
5 development information provided to a sponsor; and

6 2. The competition winner, prior to seeking the commission for  
7 architectural services on the proposed project, shall apply for  
8 licensing in this state within ten (10) days of notification of  
9 winning the competition and complete the process within thirty (30)  
10 days.

11 SECTION 16. AMENDATORY 59 O.S. 2021, Section 46.21b, is  
12 amended to read as follows:

13 Section 46.21b A. An architect shall be required to plan,  
14 design and prepare plans and specifications for the following Code  
15 Use Groups except where specifically exempt from the provisions of  
16 the State Architectural and ~~Registered Commercial~~ Licensed Interior  
17 Designers Act. All Code Use Groups in this section are defined by  
18 the current International Building Code.

19 B. The construction, addition or alteration of a building of  
20 any size or occupancy in the following Code Use Groups shall be  
21 subject to the provisions of the State Architectural and ~~Registered~~  
22 ~~Commercial~~ Licensed Interior Designers Act:

23 1. Code Use Group I - Institutional;  
24

1       2. Code Use Group R-2 - Residential, limited to dormitories,  
2 fraternities and sororities, and monasteries and convents;

3       3. Code Use Group A-1 - Assembly and theaters;

4       4. Code Use Group A-4 - Assembly, arenas and courts;

5       5. Code Use Group A-5 - Assembly, bleachers and grandstands;

6 and

7       6. Code Use Group H - High hazard; and

8       7. Buildings for which the designated Code Use Group changes  
9 are not exempt from the State Architectural and ~~Registered~~  
10 ~~Commercial~~ Licensed Interior Designers Act.

11       C. The following shall be exempt from the provisions of the  
12 State Architectural and ~~Registered-Commercial~~ Licensed Interior  
13 Designers Act; provided that, for the purposes of this subsection, a  
14 basement is not to be counted as a story for the purpose of counting  
15 stories of a building for height regulations:

16       1. The construction, addition or alteration of a building no  
17 more than two stories in height and with a code-defined occupancy of  
18 no more than fifty (50) persons for the Code Use Groups A-2 and A-3  
19 - Assembly and Code Use Group E - Education;

20       2. The construction, addition or alteration of a building no  
21 more than two stories in height and no more than sixty-four  
22 transient lodging units per building for the Code Use Group R1 -  
23 Residential, including, but not limited to, hotels and motels;

1           3. The construction, addition or alteration of a building no  
2 more than two stories in height and with a gross square footage not  
3 exceeding one hundred thousand (100,000) in the Code Use Group B -  
4 Business;

5           4. The construction, addition or alteration of a building no  
6 more than two stories in height and with a gross square footage not  
7 exceeding two hundred thousand (200,000) in the Code Use Group M -  
8 Mercantile; and

9           5. The construction, addition or alteration of a building no  
10 more than two stories in height in the following Code Use Groups or  
11 buildings:

12           a. Code Use Group U - Utility,

13           b. Code Use Group F - Factory and Industrial,

14           c. ~~Code Use Group H - High hazard,~~

15           ~~d.~~ Code Use Group S - Storage,

16           e. Code Use Group R2 - Residential, including apartments  
17           containing no more than thirty-two dwelling units or  
18           thirty-two guest units per building,

19           ~~f.~~ e. Code Use Groups R3 and R4 - Residential,

20           ~~g.~~ f. all buildings used by a municipality, county, state,  
21           public trust, public agency or the federal government  
22           with a construction value under One Hundred Fifty-  
23           eight Thousand Dollars (\$158,000.00),  
24

1           ~~h.~~ g. incidental buildings or appurtenances associated with  
2                                   paragraphs 1 through 5 of this subsection, and  
3           ~~i.~~ h. all uninhabitable, privately owned agricultural  
4                                   buildings.

5           D. The addition, renovation or alteration of buildings where  
6 the use was exempt as new construction shall remain exempt if the  
7 Code Use Group does not change.

8           E. Upgrades, repairs, replacements and changes made on projects  
9 in Code Use Groups found in this title requiring an architect are  
10 exempt from hiring an architect if the upgrades, repairs,  
11 replacements or changes do not affect the existing primary  
12 structural, mechanical, or electrical systems, ~~life-safety~~ life  
13 safety systems, fire codes or exit passageways and/or egress as  
14 determined by the applicable building official having jurisdiction.

15           F. Nonstructural interior construction projects in Code Use  
16 Groups requiring an architect are exempt from hiring an architect if  
17 the services are performed by a licensed interior designer.

18           SECTION 17.           AMENDATORY           59 O.S. 2021, Section 46.24, is  
19 amended to read as follows:

20           Section 46.24 A. Except as otherwise provided in the State  
21 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
22 Act, no license shall be issued to any person to practice  
23 architecture in this state unless the person:

- 24           1. Is twenty-one (21) years of age or over;

1           2. Is the holder of an accredited professional degree in  
2 architecture and shall have had such practical training as this act  
3 and the Board, by rule, shall deem appropriate. In lieu of the  
4 requirement of an accredited professional degree, the Board may  
5 license an applicant who demonstrates in accordance with such  
6 standards and requirements as determined by this act and/or the  
7 Board's rules that the person has such other educational experience  
8 as the Board deems equivalent to an accredited professional degree  
9 in architecture or in any case the Board decides the interest of the  
10 public will be served and the person is determined to be qualified  
11 and competent by equivalent standards for architects and in  
12 compliance with this act and rules or in compliance with the  
13 Military Service Occupation, Education and Credentialing Act;

14           3. Has paid to the Board a fee as prescribed by the rules of  
15 the Board plus the actual cost of the examination given by the  
16 Board; and

17           4. Has passed the examinations prescribed by the Board for the  
18 issuance of a license.

19           B. Upon meeting the requirements of subsection A of this  
20 section and payment of an initial fee as may be prescribed by the  
21 rules of the Board, the Board shall issue to the applicant a license  
22 which shall authorize the applicant to engage in the practice of  
23 architecture in this state. The Board has the authority to issue  
24 temporary licenses while qualifying the applicant in compliance with

1 the Military Service Occupation, Education and Credentialing Act or  
2 with any declared state of emergency.

3 C. The examination for a license to practice architecture in  
4 this state shall be held not less than once each year, shall cover  
5 such subjects as may be prescribed by the Board and shall be graded  
6 on such basis as the Board shall prescribe by rule. The Board may  
7 adopt the examinations, requirements for admission to the  
8 examinations and the grading procedures of the National Council of  
9 Architectural Registration Boards or its successor. Notice of the  
10 time and place for the holding of examinations shall be given in the  
11 manner and form prescribed by the Board and may be administered  
12 electronically.

13 D. The license certificate shall be in a form prescribed by the  
14 Board. The certificate shall be signed by the chair and by the  
15 secretary-treasurer of the Board and shall bear the impress of the  
16 seal of the Board. All papers received by the Board relating to an  
17 application for a license, to an examination and to the issuance of  
18 a license shall be electronically retained by the Board and  
19 originals destroyed. If it was incomplete, it shall only be  
20 retained for one (1) year from the date of submission and then  
21 destroyed.

22 E. The following Board records and papers are of a confidential  
23 nature and are not public records: Examination material for  
24 examinations before and after they are given, file records of

1 examination problem solutions, letters of inquiry and reference  
2 concerning applicants, Board inquiry forms concerning applicants,  
3 and investigation files.

4 SECTION 18. AMENDATORY 59 O.S. 2021, Section 46.25, is  
5 amended to read as follows:

6 Section 46.25 Each ~~licensed~~ architect shall have a seal, the  
7 image of which must contain the name of the architect, the person's  
8 license number and the words "Licensed Architect, State of  
9 Oklahoma".

10 All technical submissions prepared by such architect, or under  
11 the responsible control of the architect, shall be sealed, signed  
12 and dated, which shall mean that the architect was in responsible  
13 control over the content of such technical submissions during their  
14 preparation and has applied the required professional standard of  
15 care. No ~~licensed~~ architect may sign or seal technical submissions  
16 unless they were prepared by or under the responsible control of the  
17 architect, except that:

18 1. The person may sign or seal those portions of the technical  
19 submissions that were prepared by or under the responsible control  
20 of persons who are licensed under the State Architectural and  
21 ~~Registered-Commercial~~ Licensed Interior Designers Act if the  
22 architect has reviewed and adapted in whole or in part such portions  
23 and has either coordinated their preparation or integrated them into  
24 the work; and

1           2. The person may sign or seal those portions of the technical  
2 submissions that are not required to be prepared by or under the  
3 responsible control of an architect if the architect has reviewed  
4 and adapted in whole or in part such submissions and integrated them  
5 into the work. The seal may be a rubber stamp or may be generated  
6 electronically, pursuant to rules adopted by the Board.

7           SECTION 19.           AMENDATORY           59 O.S. 2021, Section 46.28, is  
8 amended to read as follows:

9           Section 46.28 The State Architectural and ~~Registered Commercial~~  
10 Licensed Interior Designers Act shall not require the licensing ~~or~~  
11 ~~registration~~ of practitioners of the following professions and  
12 occupations to practice landscape architecture:

13           1. A professional ~~civil~~ engineer, as defined in Section 475.2  
14 of this title, certified to practice the profession in this state  
15 under any act to regulate the practice of that profession. Nothing  
16 contained in the State Architectural and ~~Registered Commercial~~  
17 Licensed Interior Designers Act shall be construed as precluding an  
18 architect or engineer from performing services included within the  
19 definition of "landscape architecture" when incidental, meaning less  
20 than ten percent (10%) of the total project cost, to the performance  
21 of his or her normal practice as an architect or engineer;

22           2. A landscape contractor building or installing what was  
23 designed by a landscape architect;

24



1           3. An agriculturist, horticulturist, forester as defined in  
2 Section 1202 of this title, nursery operator, gardener, landscape  
3 gardener, garden or lawn caretaker and grader or cultivator of land  
4 involved in the selection, placement, planting and maintenance of  
5 plant material;

6           4. Persons who act under the supervision of a licensed  
7 landscape architect or an employee of a person lawfully engaged in  
8 the practice of landscape architecture and who, in either event,  
9 does not assume responsible charge of design or supervision;

10          5. Regional planners or urban planners, who evaluate and  
11 develop land-use plans to provide for community and municipal  
12 projections of growth patterns based on demographic needs;

13          6. A landscape designer or contractor whose business is  
14 choosing types of plants, planning their location and the design of  
15 landscapes for those projects or whose work is limited to projects  
16 for a single-family residential home. Landscape design or  
17 installation work may also be performed by an owner or occupant on  
18 the single-family residence of the owner or occupant;

19          7. Persons other than landscape architects who prepare details  
20 and shop drawings for use in connection with the execution of their  
21 work; and

22          8. Builders or their superintendents in the supervision of  
23 landscape architectural projects.

1 SECTION 20. AMENDATORY 59 O.S. 2021, Section 46.31, is  
2 amended to read as follows:

3 Section 46.31 A. Except as otherwise provided in the State  
4 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
5 Act, no license shall be issued to any person to practice landscape  
6 architecture in this state unless the person:

7 1. Is twenty-one (21) years of age or older;

8 2. Holds a degree from an accredited landscape architecture  
9 program and has such practical training as this act and the Board's  
10 rules deem appropriate;

11 3. Has passed the examinations prescribed by the Board  
12 including the Oklahoma Plant Materials Exam; and

13 4. Has paid all applicable fees.

14 B. If the Board determines the interest of the public will be  
15 served and the person is deemed by the Board to be qualified and  
16 competent by equivalent standards as the Board sets by rule or in  
17 compliance with the Military Service Occupation, Education and  
18 Credentialing Act, the application shall be approved by the Board  
19 after the person has fulfilled all requirements of this act and  
20 rules of the Board.

21 C. Examinations may be administered by an electronic method and  
22 shall be held not less than once each year. Notices of the time and  
23 place for the holding of examinations shall be given in the manner  
24

1 and form as prescribed by the Board. All landscape architects are  
2 required to take and pass the Oklahoma Plant Materials Exam.

3 D. The Board shall establish rules for examination of landscape  
4 architects and may elect to follow the recommendations of the  
5 Council of Landscape Architectural Registration Boards (CLARB) or  
6 its successor. The ~~examinations~~ examination shall be designed to  
7 determine the qualifications of the applicant to practice landscape  
8 architecture. The examination shall cover such technical,  
9 professional and practical subjects as relate to the practice of the  
10 profession of landscape architecture. The examination shall also  
11 cover the basic arts and sciences and knowledge of material which is  
12 necessary to the proper understanding, application and qualification  
13 for practice of the profession of landscape architecture. The  
14 minimum passing grade in all subjects of the examination shall be as  
15 established by the Board. An applicant receiving a passing grade on  
16 a subject included in the examination will be given credit, subject  
17 to CLARB's provisions and subject to the rules of the Board.  
18 Applicants for readmittance to the examination shall pay the  
19 application fee.

20 Upon passage of the examination, completion of the Board's  
21 requirements as prescribed by this act and rules, and the payment of  
22 all applicable fees prescribed by the rules of the Board, the Board  
23 shall issue to the applicant a license which shall authorize the  
24

1 person to engage in the practice of landscape architecture in this  
2 state.

3 E. Pursuant to such rules as it may have adopted, the Board  
4 shall have the power to issue licenses without requiring an  
5 examination to persons who have been licensed to practice landscape  
6 architecture in states other than the State of Oklahoma, in a  
7 territory of the United States, in the District of Columbia, or in a  
8 country other than the United States provided that the state,  
9 territory, district or country has a similar reciprocal provision to  
10 authorize the issuance of licenses to persons who have been licensed  
11 in this state. If a person who has been licensed in a state other  
12 than the State of Oklahoma, in a territory of the United States, in  
13 the District of Columbia, or in a country other than the United  
14 States complies with this act and rules of the Board, the secretary-  
15 treasurer, in the exercise of his or her discretion, or upon the  
16 order of the Board and upon the receipt of all applicable fees  
17 prescribed by the Board, shall issue to the person a license to  
18 practice landscape architecture in this state.

19 F. The Board has the authority to issue temporary licenses  
20 while qualifying the applicant in compliance with Section 4100 et  
21 seq. of this title or with any declared state of emergency.

22 G. The following shall govern design competitions in the state:

23 1. Nothing in this act shall prohibit a person or firm from  
24 participating in a landscape architectural design competition

1 involving only programming, planning, schematic design or design  
2 development information provided to a sponsor; and

3 2. The competition winner, prior to seeking the commission for  
4 services on the proposed project, shall apply for licensing in this  
5 state within ten (10) days of notification of winning the  
6 competition and complete the process within thirty (30) days.

7 SECTION 21. AMENDATORY 59 O.S. 2021, Section 46.34, is  
8 amended to read as follows:

9 Section 46.34 A. Each ~~licensed~~ landscape architect shall have  
10 a seal, the image of which shall contain the name of the landscape  
11 architect, the person's license number and the words "Licensed  
12 Landscape Architect, State of Oklahoma". All technical submissions  
13 prepared by such landscape architect, or under the responsible  
14 control of the landscape architect, shall be sealed, signed and  
15 dated, which shall mean that the landscape architect was in  
16 responsible control over the content of such technical submissions  
17 during their preparation and has applied the required professional  
18 standard of care. No ~~licensed~~ landscape architect may sign or seal  
19 technical submissions unless they were prepared by or under the  
20 responsible control of the landscape architect, except that:

21 1. The person may sign or seal those portions of the technical  
22 submissions under the responsible control of persons who are  
23 licensed under the State Architectural and ~~Registered Commercial~~  
24 Licensed Interior Designers Act if the landscape architect has

1 reviewed and adapted in whole or in part such portions and has  
2 either coordinated their preparation or integrated them into the  
3 work; and

4 2. The person may sign or seal those portions of the technical  
5 submissions that are not required to be prepared by or under the  
6 responsible control of a landscape architect if the landscape  
7 architect has reviewed and adapted in whole or in part such  
8 submissions and integrated them into the work. The seal may be a  
9 rubber stamp or may be generated electronically pursuant to rules  
10 adopted by the Board.

11 B. All drawings, specifications, plans, reports or other papers  
12 or documents involving the practice of landscape architecture, shall  
13 be dated and bear the signature and seal of the landscape architect  
14 or landscape architects who prepared or approved them. It is  
15 permissible to only sign, seal and date documents on the first sheet  
16 of bound sets of drawings, with index of drawings included, title  
17 page of specifications, and other drawings and contract documents in  
18 a manner consistent with this act and rules of the Board.

19 C. The seal, signature and date of the landscape architect may  
20 be applied to tracings to produce legible reproduction of the  
21 drawings or to reprints made from the tracings. This provision,  
22 however, does not in any manner modify the requirements of the other  
23 subsections of this section.

24

1 D. The license of a landscape architect shall not permit the  
2 practice of architecture, engineering or land surveying, except that  
3 which is incidental, meaning less than ten percent (10%) of the  
4 total cost of the total project, to the practice of landscape  
5 architecture. No landscape architect shall permit his or her seal  
6 to be affixed to any plans, specifications or drawings if such  
7 portions thereof as are involved in the practice of his or her  
8 particular profession were not prepared by or under the landscape  
9 architect's responsible control.

10 SECTION 22. AMENDATORY 59 O.S. 2021, Section 46.38, is  
11 amended to read as follows:

12 Section 46.38 A. Except as otherwise provided in the State  
13 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
14 Act, no ~~registration~~ license shall be issued to any person to  
15 represent that the person is a "~~registered commercial~~ licensed  
16 interior designer" nor shall any person be allowed to use the term  
17 or practice licensed interior design unless the person pays to the  
18 Board the required fees and/or penalties if applicable as  
19 established by the rules of the Board and:

20 1. Holds an accredited professional degree in interior design  
21 from an interior design program accredited by the Council for  
22 Interior Design Accreditation or its successor, or from an interior  
23 design program determined by the Board to be substantially  
24 equivalent to an accredited program;

1           2. Provides proof of a minimum of two (2) years of full-time  
2 diversified and appropriate experience within established standards  
3 as the Board shall prescribe; and

4           3. Provides to the Board proof of passage of the examination  
5 administered by the Council for Interior Design Qualification or its  
6 successor or an equivalent examination as determined by the Board.

7           B. The Board may waive the requirements of the State  
8 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
9 Act for an individual who holds a current valid registration or  
10 license from another state, jurisdiction or foreign country where  
11 the requirements for registration or licensure are substantially  
12 equivalent to those required for ~~registration~~ licensure in this  
13 state and pays the required fees and/or penalties, if applicable, to  
14 the Board.

15           C. This section does not apply to a person licensed to practice  
16 architecture pursuant to the laws of this state.

17           D. Nothing in this act shall be construed to authorize the  
18 Board to regulate or prohibit persons who are rendering interior  
19 design services and are not ~~registered commercial~~ licensed interior  
20 designers under the provisions of this act or to adopt regulations  
21 that would exceed the powers and responsibilities expressly  
22 authorized under this act.

23           E. Certificate of ~~title~~ authority shall be subject to the  
24 following:



1           1. The use of the title "~~Registered Commercial~~ Licensed  
2 Interior Designer" by a partnership, firm, association, corporation,  
3 limited liability company or limited liability partnership is  
4 allowed to those entities listed, provided:

5           a. one or more of the directors, partners, officers,  
6           shareholders, members, managers, or principals is a  
7           ~~registered commercial~~ licensed interior designer and  
8           is in good standing with the Board, and

9           b. the partnership, firm, association, corporation,  
10           limited liability company or limited liability  
11           partnership has been issued a certificate of ~~title~~  
12           authority by the Board;

13           2. The Board shall have the power to issue, revoke, deny or  
14 refuse to renew a certificate of ~~title~~ authority for a partnership,  
15 firm, association, corporation, limited liability company or limited  
16 liability partnership as provided for in this act;

17           3. A partnership, firm, association, corporation, limited  
18 liability company or limited liability partnership shall file with  
19 the Board an application for a certificate of ~~title~~ authority on a  
20 form approved by the Board which shall include the names, addresses,  
21 state of registration or licensure and registration or license  
22 number of all directors, partners, officers, shareholders, members,  
23 managers or principals of the partnership, firm, association,  
24 corporation, limited liability company or limited liability

1 partnership. In the event there shall be a change in any of these  
2 persons during the term of certification, the change shall be filed  
3 with the Board within thirty (30) days after the effective date of  
4 the change. If all the requirements of this section and the Board's  
5 current rules have been met, the Board shall issue a certificate of  
6 ~~title~~ authority to the partnership, firm, association, corporation,  
7 limited liability company or limited liability partnership;

8 4. The Secretary of State shall not issue a certificate of  
9 incorporation or register a foreign corporation or any other entity  
10 which includes among the objectives for which it is established the  
11 words "~~Registered Commercial~~ Licensed Interior Designer" or any  
12 modification or derivation of these words, unless the Board has  
13 issued for the applicant either a certificate of title for an  
14 entity, or a letter indicating the eligibility for an exemption  
15 pursuant to the requirements of this act. The firm applying shall  
16 supply the certificate of ~~title~~ authority or letter from the Board  
17 with its application for incorporation or registration;

18 5. The Secretary of State shall not register any trade name or  
19 service mark which includes ~~such~~ the words as set forth in paragraph  
20 4 of this subsection, ~~or modification or derivatives thereof~~ in its  
21 firm name or logotype except those entities or individuals holding  
22 certificates of ~~title~~ authority issued under the provisions of this  
23 section or letters of eligibility issued by the Board; and  
24

1           6. Upon application for renewal and upon compliance with the  
2 provisions of this act and the rules of the Board, a certificate of  
3 ~~title~~ authority shall be renewed as provided by this act.

4           F. No ~~registration~~ license for ~~registered commercial~~ licensed  
5 interior designers or a certificate of ~~title~~ authority for a  
6 partnership, firm, association, corporation, limited liability  
7 company or limited liability partnership, shall be issued or renewed  
8 for longer than two (2) years. A ~~registration~~ license or  
9 certificate of ~~title~~ authority may be renewed upon application,  
10 compliance with the rules of the Board and payment of fees prior to  
11 or on June 30 of alternate years. ~~The registration for registered~~  
12 ~~commercial interior designers shall begin July 1, 2007, and shall~~  
13 ~~end June 30, 2009, unless renewed every two (2) years thereafter.~~ A  
14 new ~~registration~~ license to replace a lost, destroyed or mutilated  
15 ~~registration~~ license shall be issued by the Board upon payment of a  
16 fee established in accordance with the rules of the Board.

17           SECTION 23.           AMENDATORY           59 O.S. 2021, Section 46.39, is  
18 amended to read as follows:

19           Section 46.39 Any person who applies to become a ~~registered~~  
20 ~~commercial~~ licensed interior designer and remits the application and  
21 initial fees after July 1, 2007, shall be ~~registered~~ licensed by the  
22 Board of Governors of the ~~Licensed~~ Architects, Landscape Architects  
23 and ~~Registered Commercial~~ Licensed Interior Designers of Oklahoma if  
24 an applicant demonstrates, in accordance with this act, or in

1 compliance with the Military Service Occupation, Education and  
2 Credentialing Act and requirements as the Board adopts by rule, that  
3 the applicant has the interior design education and training that  
4 the Board deems equivalent to an accredited professional degree in  
5 interior design and the applicant has passed the examination of the  
6 Council for Interior Design Qualification or its successor, or an  
7 equivalent examination as determined by the Board.

8 In lieu of the requirement of any professional degree, an  
9 applicant may provide documented proof of diversified and  
10 appropriate experience in the practice of interior design for a  
11 period of six (6) years and the applicant has passed the examination  
12 of the Council for Interior Design Qualification or its successor,  
13 or an equivalent examination as determined by the Board.

14 The Board has the authority to issue temporary ~~registrations~~  
15 licenses while qualifying the applicant in compliance with the  
16 Military Service Occupation, Education and Credentialing Act.

17 SECTION 24. AMENDATORY 59 O.S. 2021, Section 46.40, is  
18 amended to read as follows:

19 Section 46.40 A. The Board of Governors of the ~~Licensed~~  
20 Architects, Landscape Architects and ~~Registered Commercial~~ Licensed  
21 Interior Designers of Oklahoma may waive the educational and  
22 examination requirements of the State Architectural and ~~Registered~~  
23 ~~Commercial~~ Licensed Interior Designers Act for persons with  
24 diversified and appropriate experience in the practice of interior

1 design for a period of fifteen (15) years prior to July 1, 2007, if  
2 the person is not ~~registered~~ licensed under the State Architectural  
3 and ~~Registered Commercial~~ Licensed Interior Designers Act and not  
4 exempt from the requirement for ~~registration~~ licensure in order to  
5 use the title "~~Registered Commercial~~ Licensed Interior Designer".

6 B. The State Architectural and ~~Registered Commercial~~ Licensed  
7 Interior Designers Act shall not be construed to prohibit or  
8 interfere with the ability of a ~~licensed~~ an architect to perform  
9 those activities that are associated with his or her practice as  
10 provided under the provisions of the State Architectural and  
11 ~~Registered Commercial~~ Licensed Interior Designers Act.

12 SECTION 25. AMENDATORY 59 O.S. 2021, Section 46.41, is  
13 amended to read as follows:

14 Section 46.41 A. It shall be unlawful for any person or entity  
15 to use the title "~~Registered Commercial~~ Licensed Interior Designer"  
16 or any other derivation of these words to indicate that the person  
17 or entity is ~~registered~~ licensed under the provisions of the State  
18 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
19 Act or engages in the practice of licensed interior design, if the  
20 person is not ~~registered~~ licensed under this act.

21 B. Any person who holds himself or herself out as a ~~registered~~  
22 ~~commercial~~ licensed interior designer, advertises, puts out any  
23 sign, card or drawings in this state designating himself or herself  
24 as a "~~Registered Commercial~~ Licensed Interior Designer" ~~or uses some~~

1 ~~form of the term in the title of a profession or business~~ or engages  
2 in the practice of licensed interior design without first having  
3 complied with the provisions of the State Architectural and  
4 ~~Registered Commercial~~ Licensed Interior Designers Act shall be  
5 deemed guilty of a misdemeanor.

6 SECTION 26. AMENDATORY 59 O.S. 2021, Section 46.42, is  
7 amended to read as follows:

8 Section 46.42 Each ~~registered commercial~~ licensed interior  
9 designer shall have a seal, the image of which must contain the name  
10 of the ~~registered commercial~~ licensed interior designer, the  
11 person's ~~registration~~ license number and the words, "Registered  
12 ~~Commercial~~ Licensed Interior Designer, State of Oklahoma". All  
13 technical submissions prepared by such ~~registered commercial~~  
14 licensed interior designer, or under the responsible control of the  
15 ~~registered commercial~~ licensed interior designer, shall be sealed,  
16 signed and dated, which shall mean that the ~~registered commercial~~  
17 licensed interior designer was in responsible control over the  
18 content of such technical submissions during their preparation and  
19 has applied the required professional standard of care, unless  
20 prepared under the responsible control of an architect licensed in  
21 this state and signed and sealed by that licensed architect. No  
22 ~~registered commercial~~ licensed interior designer may sign or seal  
23 interior technical submissions unless they were prepared by or under  
24

1 the responsible control of the ~~registered commercial~~ licensed  
2 interior designer, except that:

3 1. The person may sign or seal those portions of the technical  
4 submissions that were prepared by or under the responsible control  
5 of persons who are ~~registered~~ licensed under the State Architectural  
6 and ~~Registered Commercial~~ Licensed Interior Designers Act if the  
7 licensed interior designer has reviewed and adapted in whole or in  
8 part such portions and has either coordinated their preparation or  
9 integrated them into the work. The seal may be a rubber stamp or  
10 may be generated electronically, pursuant to rules adopted by the  
11 Board; and

12 2. ~~Registered commercial~~ Licensed interior designers may submit  
13 technical submissions, excluding fire and life safety systems, for  
14 nonstructural interior construction for the Code Use Groups as  
15 defined and listed in Section 46.21b of ~~Title 59 of the Oklahoma~~  
16 ~~Statutes~~ this title.

17 SECTION 27. AMENDATORY 59 O.S. 2021, Section 46.45, is  
18 amended to read as follows:

19 Section 46.45 The privilege of engaging in practice as a  
20 ~~registered commercial~~ licensed interior designer is personal based  
21 upon the qualifications of the individual and evidenced by the  
22 individual's ~~registration~~ license. The ~~registration~~ license is not  
23 transferable.

24

1 SECTION 28. AMENDATORY 59 O.S. 2021, Section 46.46, is  
2 amended to read as follows:

3 Section 46.46 The Board of Governors of the ~~Licensed~~  
4 Architects, Landscape Architects and ~~Registered Commercial~~ Licensed  
5 Interior Designers of Oklahoma may restore a ~~registration~~ license to  
6 any person whose ~~registration~~ license has lapsed or has been revoked  
7 or suspended. Application for the reissuance of a ~~registration~~  
8 license shall be made in the manner as the Board may direct. The  
9 fees prescribed by the rules shall accompany the application for  
10 reissuance.

11 SECTION 29. AMENDATORY 59 O.S. 2021, Section 46.47, is  
12 amended to read as follows:

13 Section 46.47 ~~Registration~~ Licensure under the State  
14 Architectural and ~~Registered Commercial~~ Licensed Interior Designers  
15 Act shall not authorize a ~~registered commercial~~ licensed interior  
16 designer to engage in the practice of architecture or landscape  
17 architecture as described herein.

18 SECTION 30. This act shall become effective July 1, 2023.

19 SECTION 31. It being immediately necessary for the preservation  
20 of the public peace, health or safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.

23

24 59-1-5049 LRB 01/16/23