

Underscored/Strike Through Version Showing Changes

(LAC 46:I.1701, LAC 46:I.1703, LAC 46:I.1705, and LAC 46:I.1707)

Chapter 17. Professional Architectural Corporations, Architectural-Engineering Corporations, and ~~Limited Liability Companies~~ Architectural Firms

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§1701. Professional Architectural Corporations

- A. The practice of architecture in Louisiana by a professional architectural corporation ~~corporations~~ is only permissible when such corporation is lawfully constituted under the laws pertaining to professional architectural corporations: Professional Architectural Corporations Law, La. R.S. 12:1086 et. seq., and it obtains a certificate of authority from the board authorizing it to so practice.
- B. ~~No person, firm, partnership, corporation, or group of persons shall solicit, offer, execute, or perform architectural services in this state as a professional architectural corporation without first receiving a certificate from the board authorizing the corporation to do so.~~
- ~~CB.~~ Any person seeking to be certified to practice architecture as a professional or professional corporation shall request in writing an application to do so from the office of the board. The request shall state the name of the proposed corporation. A person seeking a certificate of authority for a professional architectural corporation to practice architecture in Louisiana shall obtain an application from the board website, [www.lastbdarchs.com](http://www.lastbdarchs.com). The applicant is required to complete said the application fully and return same to the executive director file same with the board. Upon receipt of such application and the fee described below, the board shall either approve said application and certify the applicant as a issue a certificate of authority to the professional architectural corporation, or disapprove said application advising the applicant of the reasons ~~reason~~(s) therefor. The certificate of authority must be renewed on an annual basis.
- C. The fee for obtaining an initial certificate of authority for a resident professional architectural is seventy-five dollars (\$75.00). The fee for obtaining an initial certificate of authority for a non-resident professional architectural corporation is one hundred-fifty dollars (\$150.00).
- D. Architectural services rendered on behalf of a professional architectural corporation must be performed by or under the direct responsible supervision of a one or more natural person(s) duly licensed to practice architecture in Louisiana. Performing or directly supervising the performance of all architectural services shall mean unrestricted, unchecked, and unqualified command of, and legal accountability for, the architectural services performed. Specifications, drawings, or other related documents will be deemed to have been prepared by the architect or under the architect's direct supervision only when the requirements of Rule § 1313 are fully satisfied.
- E. The architects licensed in this state who perform ~~such architectural services~~ or directly supervise ~~such the performance of architectural~~ services on behalf of a professional architectural corporation are responsible to the board for all of the acts and conduct of such corporation.
- F. It shall be the responsibility of all architects named in an application to be certified the directors of a professional architectural corporation to advise the board of any organizational change that would relate to the authority granted under this rule. Any Failure failure to do so could result in disciplinary action leading to suspension, revocation, or rescission of the registrant's license imposition by the board of one or more of the disciplines set forth in La. R.S. 37:153 and/or La. R.S. 37:154 against the professional architectural corporation and the directors. Possible disciplines include, but are not limited to, the suspension, revocation, or rescission of (i) the certificate of authority issued to the professional architectural corporation and (ii) the license of the directors.

G. A professional architectural corporation holding a certificate of authority and desiring to continue offering architectural services shall make application for renewal each year on or prior to June 30 by downloading a renewal form from the board website, [www.lastbdarchs.com](http://www.lastbdarchs.com). Upon receipt of the completed application and the fee described below prior to June 30, a renewal certificate will be issued.

H. The fee for renewing a certificate of authority for a resident professional architectural corporation is seventy-five dollars (\$75.00). The fee for renewing a certificate of authority for a non-resident professional architectural corporation is one hundred-fifty dollars (\$150.00).

I. The failure of a professional architectural corporation to renew its certificate of authority on or before June 30 shall not deprive such corporation of the right of renewal thereafter provided it pays a delinquent fee to the board. The delinquent fee to be paid upon the renewal of a certificate of authority by a resident professional architectural corporation is seventy-five dollars (\$75.00). The delinquent fee to be paid upon the renewal of a certificate of authority by a non-resident professional architectural corporation is one hundred-fifty dollars (\$150.00). This delinquent fee shall be in addition to the renewal fee set forth in the preceding paragraph.

### **§1703. Architectural-Engineering Corporations**

A. The practice of architecture in Louisiana by an architectural-engineering corporation is only permissible when such corporation is lawfully constituted under the laws pertaining to professional architectural corporations Architectural-Engineering Corporation Law, La. R.S. 12:1171 et. seq., and it obtains a certificate of authority from the board authorizing it to so practice.

B. No person, firm, partnership, corporation, or group of persons shall solicit, offer, execute, or perform architectural services in this state as a professional architectural corporation without first receiving a certificate from the board authorizing the corporation to do so.

CB. Any person seeking to be certified to practice architecture as an architectural-engineering corporation shall request in writing an application to do so from the office of the board. The request shall state the name of the proposed corporation. A person seeking a certificate of authority for an architectural-engineering corporation to practice architecture in Louisiana shall obtain an application from the board website, [www.lastbdarchs.com](http://www.lastbdarchs.com). The applicant is required to complete said the application fully and return same to the executive director file same with the board. Upon receipt of such application and the fee described below, the board shall either approve said application and certify the applicant as a issue a certificate of authority to the architectural-engineering corporation, or disapprove said application advising the applicant of the reasons reason(s) therefor. The certificate of authority must be renewed on an annual basis.

C. The fee for obtaining an initial certificate of authority for a resident architectural-engineering corporation is seventy-five dollars (\$75.00). The fee for obtaining an initial certificate of authority for a non-resident architectural-engineering corporation is one hundred-fifty dollars (\$150.00).

D. Pursuant to La. R.S. 12:1173, the architectural-engineering corporation shall designate in its application for certificate of authority one or more supervising professional architect(s) who shall perform or directly supervise the performance of all architectural services by said corporation in Louisiana. Architectural services rendered on behalf of an architectural-engineering corporation must be performed by or under the direct responsible supervision of a natural person duly licensed to practice architecture in Louisiana. Performing or directly supervising the performance of all architectural services shall mean unrestricted, unchecked, and unqualified command of, and legal accountability for, the architectural services performed. Specifications, drawings, or other related documents will be deemed to have been prepared by the architect or under

the architect's direct supervision only when the requirements of Rule §.1313 are fully satisfied. Only natural persons (i) who are licensed by the board pursuant to the provisions of La. R.S. 37:141 through R.S. 37:158, (ii) who are full-time active employees of the architectural-engineering corporation, and (iii) whose primary occupation is with the architectural-engineering corporation may be designated as a supervising professional architect.

- E. The architects licensed in this state who perform such architectural services or directly supervise such the performance of architectural services on behalf of an architectural-engineering corporation are responsible to the board for all of the acts and conduct of such corporation.
- F. It will shall be the responsibility of all architects named in an application to be certified the designated supervising professional architect(s) of an architectural-engineering corporation to advise the board of any organizational change that would relate to the authority granted under this rule. Any failure failure to do so could result in disciplinary action leading to suspension, revocation, or rescission of the registrant's license imposition by the board of one or more of the disciplines set forth in La. R.S. 37:153 and/or La. R.S. 37:154 against the architectural-engineering corporation and the designated supervising professional architect(s). Possible disciplines include, but are not limited to, the suspension, revocation, or rescission of (i) the certificate of authority issued to the professional architectural corporation and (ii) the license of the directors.
- G. An architectural-engineering corporation holding a certificate of authority and desiring to continue offering architectural services shall make application for renewal each year on or prior to June 30 by downloading a renewal form from the board website, [www.lasfbdarchs.com](http://www.lasfbdarchs.com). Upon receipt of the completed application and the fee described below prior to June 30, a renewal certificate will be issued.
- H. The fee for renewing a certificate of authority for a resident architectural-engineering corporation is seventy-five dollars (\$75.00). The fee for renewing a certificate of authority for a non-resident architectural-engineering corporation is one hundred-fifty dollars (\$150.00).
- I. The failure of an architectural-engineering corporation to renew its certificate of authority on or before June 30 shall not deprive such corporation of the right of renewal thereafter, provided it pays a delinquent fee to the board. The delinquent fee to be paid upon the renewal of a certificate of authority by a resident architectural-engineering corporation is seventy-five dollars (\$75.00). The delinquent fee to be paid upon the renewal of a certificate of authority by a non-resident architectural-engineering corporation is one hundred-fifty dollars (\$150.00). This delinquent fee shall be in addition to the renewal fee set forth in the preceding paragraph.

#### **§1705. Limited Liability Companies Architectural Firms**

- A. For purposes of this rule, the term "architectural firm" shall mean a corporation, partnership, limited liability partnership, limited liability company, association, sole proprietorship, or other entity lawfully organized under the laws of Louisiana or other lawful jurisdiction for the purpose of practicing architecture.
- A. B. The practice of architecture in Louisiana by limited liability companies an architectural firm is only permissible when lawfully constituted under the laws pertaining to limited liability companies, R.S. 12:1301 et seq. such firm is lawfully constituted under the laws of Louisiana or under the laws of some other lawful jurisdiction for the purpose of practicing architecture, and it complies with all of the requirements of this rule.
- C. Except as provided *infra* in this rule, no architectural firm shall solicit, offer, execute, or perform architectural services in Louisiana without first receiving a certificate of authority from the board authorizing it to do so.

~~C.D. A limited liability company. An architectural firm~~ soliciting, offering, contracting to perform, or performing the practice of architecture in Louisiana shall be subject to the discipline of the board and to its authority to adopt rules and regulations governing the practice of architecture.

~~D.E. Any person seeking to be certified to practice architecture as a limited liability company shall request in writing an application to do so from the office of the board. The request shall state the name of the proposed limited liability company. A person seeking a certificate of authority for an architectural firm to practice architecture in Louisiana shall obtain an application from the board website, www.lasbdaarchs.com. The applicant is required to complete said the application fully and return same to the executive director file same with the board. Upon receipt of such application and the fee described below, the board shall either approve said application and certify the limited liability company as authorized to practice architecture issue a certificate of authority to the architectural firm, or disapprove said application advising the applicant of the reasons reason(s) therefor. The certificate of authority must be renewed on an annual basis.~~

~~E. Only a person who is presently licensed by the board pursuant to the provisions of R.S. 37:141 through R.S. 37:158, who is in compliance with said provisions, who is a full-time active employee of the limited liability company, and whose primary occupation is with that limited liability company may be designated as a supervising professional architect.~~

~~F. The fee for obtaining an initial certificate of authority for a resident architectural firm is seventy-five dollars (\$75.00). The fee for obtaining an initial certificate of authority for a non-resident architectural firm is one hundred-fifty dollars (\$150.00).~~

~~G. The architectural firm shall designate in its application for certificate of authority one or more supervising professional architects who shall perform or directly supervise the performance of all architectural services by said firm in Louisiana. Performing or directly supervising the performance of all architectural services shall mean unrestricted, unchecked, and unqualified command of, and legal accountability for, the architectural services performed. Specifications, drawings, or other related documents will be deemed to have been prepared by the architect or under the architect's direct supervision only when the requirements of Rule § 1313 are fully satisfied. Only natural persons (i) who are licensed by the board pursuant to the provisions of La. R.S. 37:141 through R.S. 37:158, (ii) who are full-time active employees of the architectural firm, and (iii) whose primary occupation is with the architectural firm may be designated as a supervising professional architect.~~

~~F.H. By designating an architect as a supervising professional architect, the limited liability company. When the architectural firm designates an architect as a supervising professional architect, the architectural firm authorizes that architect to appear for and act on behalf of the limited liability company firm in connection with the execution and performance of contracts to provide architectural services.~~

~~G.I. An architectural firm may practice architecture in Louisiana only as long as it employs a designated supervising professional architect who complies with Rule §1705.G above. In the event that such registered supervising professional architect ceases being a full-time active employee of the limited liability company or no longer employed by the limited liability company on a primary basis, if the architectural firm designates only one architect as the supervising professional architect and that architect ceases being a full-time active employee of the architectural firm on a primary basis, the authority of the limited liability company such firm to practice architecture in Louisiana is suspended until such time as the firm designates another supervising professional architect pursuant to §1705.E Rule §1705.G above.~~

~~H.J. The designated supervising professional architect. The architect(s) designated as the supervising professional architect(s) of the architectural firm is responsible to this the board for all of the acts and conduct of such limited liability company, the architectural firm.~~

- I.K. It will be the responsibility of all architects named in an application to be certified as a limited liability company to. The supervising professional architect(s) of the architectural firm shall advise the board of any organizational change that would relate to the authority granted under this rule. Failure Any failure to do so could result in disciplinary action leading to suspension, revocation, or rescission of the registrant's license imposition by the board of one or more of the disciplines described in La. R.S. 37:153 and/or La. R.S. 37:154 against the architectural firm and the designated supervising professional architect(s). Possible disciplines include, but are not limited to, the suspension, revocation, or rescission of (i) the certificate of authority issued to the architectural firm and (ii) the license of the designated supervising professional architect(s).
- L. A corporation, partnership, limited liability partnership, limited liability company, association, sole proprietorship, or other entity lawfully organized under the laws of Louisiana or other lawful jurisdiction for the purpose of offering a combination of architectural services together with construction services (i.e., a design/build firm), must obtain a certificate of authority from the board as set forth in this rule and also comply with Rule § 1319.
- M. A joint venture practicing architecture in Louisiana shall not be required to obtain a certificate of authority from the board; however, all architectural firms practicing architecture in Louisiana as members of a joint venture are required to obtain a certificate of authority and otherwise comply with this rule.
- N. A non-resident architectural firm associated within the meaning of Rule § 1317 with a resident architect or architectural firm for a specific and isolated project is not required to obtain a certificate of authority from the board, provided the resident architect is licensed in Louisiana or the resident architectural firm has obtained a certificate of authority from the board.
- O. A sole proprietorship practicing architecture in Louisiana in the name of an individual registered with the board is not required to obtain a certificate of authority to practice architecture in Louisiana. A sole proprietorship practicing architecture in Louisiana under some name other than the name of an individual registered with the board is required to obtain a certificate of authority from the board.
- P. A non-resident architectural firm retained by a Louisiana architect as a consultant only is not required to obtain a certificate of authority from the board.
- Q. The architectural firm shall satisfy all of the requirements of the Louisiana Secretary of State for doing business in this state.
- R. An architectural firm holding a certificate of authority and desiring to continue offering architectural services in Louisiana shall make application for renewal each year on or prior to June 30 by downloading a renewal form from the board website, [www.lasfbidarchs.com](http://www.lasfbidarchs.com). Upon receipt of the completed application and the renewal fee described below on or prior to June 30, a renewal certificate will be issued.
- S. The fee for renewing a certificate of authority for a resident architectural firm is seventy-five dollars (\$75.00). The fee for renewing a certificate of authority for a non-resident architectural firm is one hundred-fifty dollars (\$150.00).
- T. The failure of an architectural firm to renew its certificate of authority on or before June 30 shall not deprive it of the right of renewal thereafter, provided it pays a delinquent fee to the board. The delinquent fee to be paid upon the renewal of a certificate of authority by a resident architectural firm is seventy-five dollars (\$75.00). The delinquent fee to be paid upon the renewal of a certificate of authority by a non-resident architectural firm is one hundred-fifty dollars (\$150.00). This delinquent fee shall be in addition to the renewal fee set forth in the preceding paragraph.
- U. Rules regulating the names of architectural firms are contained in Chapter 15 *supra*.

§1707. Effective date

- A. Any license or certificate of authority issued by the board to a professional architectural corporation, architectural-engineering corporation, or limited liability company for the period ending June 30, 2017, shall expire no later than such date, and the rules in existence at the time such license or certificate is issued shall apply to the practice of architecture by such firm.
- B. These rules shall apply to any professional architectural corporation, architectural-engineering corporation, or architectural firm seeking to obtain an initial certificate of authority from the board to practice architecture in Louisiana, or to renew any such certificate, for the period after July 1, 2017.