

**Notice of Rulemaking Activity**  
**Concerning LAC Chapter 46:I.Chapter 17**

LAC Chapter 46:I.Chapter 17. Professional Architectural Corporations, Architectural-Engineering Corporations, and Limited Liability Companies (“Chapter 17”), as it presently exists, can be found in the rules of the Louisiana State Board of Architectural Examiners (“Board”). Such rules are contained on the Board website at [www.lastbdarchs.com](http://www.lastbdarchs.com). Chapter 17 may also be found by clicking on link below.

In accordance with Chapter 17 and the Architect Licensing Law, La. R.S. 37:141 et seq., the Board presently regulates professional architectural corporations, architectural-engineering corporations, and limited liability companies only. During the 2012 legislative session, the legislature enacted Act 514 of 2012 (now La. R.S. 37:158). This Act authorizes the Board to regulate all domestic and foreign firms practicing or offering to practice architecture in the state of Louisiana.

Pursuant to the authority contained in Act 514 of 2012, the Board decided to amend the rules contained in Chapter 17. The intent of the proposed rule amendments is for the Board to regulate all architectural firms offering to practice or practicing architecture in Louisiana and establish a level playing field for all such firms.

Under the proposed rules, a professional architectural corporation and an architectural-engineering corporation may continue to practice architecture in Louisiana as authorized by the Professional Architectural Corporations Law, La. R.S. 12:1086 et. seq., and the Architectural-Engineering Corporations Law, La. R.S. 12:1171 et. seq., as they have practiced in the past. *See* proposed Rules §§ 1701 and 1703. In addition, such firms, limited liability companies, and other architectural firms may seek to obtain certificates of authority and to practice architecture in Louisiana as an architectural firm under the requirements of proposed Rule § 1705. The effective dates of the proposed rules are contained in proposed Rule § 1707. The proposed rules provide for fee increases for in-state and out-of-state professional architectural corporations, architectural-engineering corporations, and limited liability companies, and for the fees to be paid by other in-state and out-of-state architectural firms who have not previously been regulated. *See* proposed rules §§ 1701(C), (H), and (I); 1703(C), (H), and (I), and 1705(F), (S), and (T).

At its regular quarterly meeting on June 10, 2016, the Board approved the publication of an NOI concerning the proposed amendments to Chapter 17. On July 18, 2016, as required by the Administrative Procedures Act, La. R.S. 49:950 et seq., the Board submitted to the Legislative Fiscal Office (“LFO”) a proposed NOI, proposed Fiscal and Economic Impact Statement, copy of existing Chapter 17, and an Annotated Version of the proposed rule amendments. The LFO suggested a few changes to the fiscal statement, which were made, and the LFO thereafter approved such statement

On August 9, 2016, pursuant to La. R.S. 49:968(B) and (C), the Board submitted reports relative to the proposed rule amendments to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs. Attached to the reports were the proposed NOI, Fiscal and Economic Impact Statement approved by the Legislative Fiscal

Office, existing LAC Chapter 46:I.Chapter 17, and Annotated Version of proposed rule showing changes. You may access such reports by clicking on the link below

In the August 20, 2016 issue of the *Louisiana Register* at pages 1339-1343, a NOI and the first (summary) page of the Fiscal and Economic Impact Statement were published for proposed amendments to Chapter 17. You may access such NOI by visiting the website of the Office of State Register or by clicking on the link below.

The Board inadvertently failed to include on its website this NOI or the other information described in La. R.S. 49:974(B)(1)(a) through (g) within five (5) days after the date on which the Board submitted the report for the proposed rule to the legislative oversight committees. The Board decided to publish the NOI a second time, this time on November 20, 2016, and allow the submission of written comments on the proposed rule amendments through December 31, 2016. Written comments should be submitted to Ms. Kathy Hillegas, Executive Director, Board of Architectural Examiners, 9625 Fenway Ave., Suite B, Baton Rouge, LA 70809. Further, the Board decided to include on its website this Notice and the following:

- LAC Chapter 46:I.Chapter 17. Professional Architectural Corporations, Architectural-Engineering Corporations, and Limited Liability Companies;
- August 20, 2016 issue of the *Louisiana Register*, pages 1339-1343 (containing the proposed NOI);
- Fiscal and Economic Impact Statement approved by the LFO;
- Annotated Version of Chapter 17 (showing proposed changes);
- Reports dated August 9, 2016, to Representative Thomas G. Carmody, Jr., Chairman, House Commerce Committee, and to Senator Daniel “Danny” Martiny, Chairman, Senate Committee on Commerce, Consumer Protection, and International Affairs; and
- Reports dated November 5, 2016, to Representative Thomas G. Carmody, Jr., Chairman, House Commerce Committee, and to Senator Daniel “Danny” Martiny, Chairman, Senate Committee on Commerce, Consumer Protection, and International Affairs, with NOI, Fiscal Statement, Existing LAC 46:I.Chapter 17, and Annotated Version attached to each; and
- NOI to be published November 20, 2016.

Written comments concerning the proposed rules should be submitted no later than December 31, 2016, to Ms. Kathy Hillegas, Executive Director, Board of Architectural Examiners, 9625 Fenway Ave., Suite B, Baton Rouge, LA 70809.