

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1962

By: Pugh

4  
5  
6 AS INTRODUCED

7 An Act relating to architects; amending 59 O.S. 2021,  
8 Section 46.3, which relates to definitions; modifying  
9 definitions; amending 59 O.S. 2021, Section 46.4, as  
10 amended by Section 1, Chapter 62, O.S.L. 2023 (59  
11 O.S. Supp. 2023, Section 46.4), which relates to  
12 Board of Governors of the Licensed Architects,  
13 Landscape Architects, and Registered Commercial  
14 Interior Designers of Oklahoma; updating statutory  
15 language; amending 59 O.S. 2021, Section 46.7, which  
16 relates to power and duties of Board; authorizing the  
17 Board to use funds to establish certain instructional  
18 programs; amending 59 O.S. 2021, Section 46.9, which  
19 relates to practice of architecture or landscape  
20 architecture; updating certain registration for  
21 operation; amending 59 O.S. 2021, Section 46.10,  
22 which relates to renewal of licenses; providing  
23 timeline for certain renewal of licenses; amending 59  
24 O.S. 2021, Section 46.21, which relates to  
25 exceptions; providing an exception; amending 59 O.S.  
26 2021, Section 46.21b, which relates to architects  
27 required for certain building; adding certain  
28 structure to exempted buildings; amending 59 O.S.  
29 2021, Section 46.38, which relates to registration of  
30 interior designers; updating statutory language;  
31 repealing 59 O.S. 2021, Section 46.11, which relates  
32 to renewal of license or certificate; and providing  
33 an effective date.

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

1 SECTION 1. AMENDATORY 59 O.S. 2021, Section 46.3, is

2 amended to read as follows:

3 Section 46.3. As used in the State Architectural and Registered  
4 Commercial Interior Designers Act:

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

7 2. "Practice of architecture" means rendering or offering to  
8 render certain services, in connection with the design and  
9 construction, enlargement or alteration of a building or a group of  
10 buildings and the space surrounding such buildings, including  
11 buildings which have as their principal purpose human occupancy or  
12 habitation. The services referred to include planning, providing  
13 preliminary studies, designs, drawings, specifications,  
14 investigations ~~and other~~ or technical submissions, the  
15 administration of construction contracts, and the coordination of  
16 any elements of technical submissions prepared by other consultants  
17 including, as appropriate and without limitation, consulting  
18 engineers and landscape architects; provided, that the practice of  
19 architecture shall include such other professional services as may  
20 be necessary for the rendering of or offering to render  
21 architectural services.

22 The preparation of plans and specifications for the following  
23 tasks is within the scope of practice of both architecture and  
24 engineering:

1 a. site plans depicting the location and orientation of a  
2 building on the site based on:

3 (1) a determination of the relationship of the  
4 intended use with the environment, topography,  
5 vegetation, climate, and geographic aspects, and

6 (2) the legal aspects of site development, including  
7 setback requirements, zoning, and other legal  
8 restrictions,

9 b. life safety plans and related codes analyses,

10 c. roof plans and details depicting the design of roof  
11 system materials, components, drainage, slopes, and  
12 directions and location of roof accessories and  
13 equipment, not involving structural engineering  
14 calculation,

15 d. design of shallow spread footing foundations, and

16 e. incorporation of other design professionals'

17 depictions of building systems, including  
18 architectural, structural, mechanical, electrical, and  
19 plumbing systems into the design professional's own  
20 work, in:

21 (1) plan views,

22 (2) cross-sections depicting building components from  
23 a hypothetical cut line through a building, and

1                   (3) the design of details of components and  
2                                   assemblies;

3           3. "Registration" or "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~~ any  
11 structure used or intended to be used to support, shelter, or  
12 enclose for any use or occupancy;

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

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

21           7. "Certificate of title" means the authorization granted by  
22 the Board for a partnership, ~~firm, association,~~ corporation, limited  
23 liability company or limited liability partnership to use the title  
24

1 registered commercial interior designer or any modification or  
2 derivation of these terms;

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

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

1 management by a licensed architect, landscape architect, or  
2 registered commercial interior designer of the firm's personnel and  
3 practice, applying the required standard of care, to maintain  
4 detailed knowledge over the design and technical decisions related  
5 to the preparation and implementation of the professional services  
6 to which the licensee or registrant affixed his or her seal,  
7 signature, and date;

8 10. "Landscape architect" means a person licensed to practice  
9 landscape architecture as provided in the State Architectural and  
10 Registered Commercial Interior Designers Act;

11 11. "Landscape architecture" means the performance of  
12 professional services defined as teaching, consultations,  
13 investigations, reconnaissance, research, planning, design,  
14 preparation of construction drawings and specifications,  
15 construction observation and the coordination of any elements of  
16 technical submissions prepared by others in connection with the  
17 planning and arranging of land and the elements thereon for public  
18 and private use and enjoyment, including the design and layout of  
19 roadways, service areas, parking areas, walkways, steps, ramps,  
20 pools, parks, parkways, trails and recreational areas, the location  
21 and site of improvements including buildings and other structures,  
22 and the grading of the land, surface and subsoil drainage, erosion  
23 control, planting, reforestation, and the preservation of the  
24 natural landscape, in accordance with accepted professional

1 standards, and to the extent that the dominant purpose of such  
2 services or creative works is the preservation, conservation,  
3 enhancement, or determination of proper land uses, natural land  
4 features, ground cover and plantings, or naturalistic and aesthetic  
5 values.

6 The practice of landscape architecture shall include the  
7 location and arrangement of tangible objects and features as are  
8 incidental and necessary to the purpose outlined for landscape  
9 architecture. The practice of landscape architecture shall not  
10 include the design of structures or facilities with separate and  
11 self-contained purposes for habitation or industry, or the design of  
12 public streets, highways, utilities, storm and sanitary sewers and  
13 sewage treatment facilities, that are statutorily defined as the  
14 practice of engineering or architecture;

15 12. "Code" means the nationally recognized codes adopted by the  
16 Uniform Building Code Commission of the State of Oklahoma;

17 13. ~~"Applicable building Building official" means the official~~  
18 ~~responsible for the application of the adopted building code~~  
19 officer, other designated authority, or a duly authorized  
20 representative charged with the administration and enforcement of  
21 the building code as implemented by the local, municipal or county  
22 jurisdiction in which a building is located. Where no building code  
23 has been adopted by the local, municipal or county jurisdiction, the  
24

1 applicable building official shall be defined as the State Fire  
2 Marshal;

3 14. "Registered commercial interior designer" means a person  
4 recognized by this state who is registered, qualified by examination  
5 and meeting all the requirements set forth in the State  
6 Architectural and Registered Commercial Interior Designers Act and  
7 the Board's rules;

8 15. "Plans" means technical documents issued by the licensed  
9 and/or registered professionals intended to meet all current and  
10 applicable codes as adopted by the Uniform Building Code Commission  
11 of the State of Oklahoma, other statutory codes and applicable  
12 federal codes and which shall be submitted to all required building  
13 code and/or permit offices required by the State of Oklahoma,  
14 county, municipal and/or federal government;

15 16. "Equivalent standards" means those standards adopted by the  
16 Board intended to be used as alternative equivalents to determine  
17 competency for education, training and testing for licensing  
18 architects and/or landscape architects and registering commercial  
19 interior designers and for complying with the Military Service  
20 Occupation, Education and Credentialing Act for military personnel  
21 and their spouses;

22 17. "Commercial interior design" means the rendering of or the  
23 offering to render designs, consultations, studies, planning,  
24 drawings, specifications, contract documents or other technical



1 submissions and the administration of interior construction and  
2 contracts relating to nonstructural interior construction by a  
3 registered commercial interior designer in a new constructed or  
4 existing building when the core and shell elements are not going to  
5 be changed;

6 18. "Nonstructural commercial interior construction" means the  
7 construction of elements which do not include exterior components of  
8 a building such as exterior walls, any load-bearing wall, any load-  
9 bearing column or any other load-bearing elements of a building  
10 essential to the structural integrity of the building such as wind  
11 loads and seismic loads and to any element which must be designed  
12 for wind loads and seismic loads; and

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

19 The definitions in the State Architectural and Registered  
20 Commercial Interior Designers Act shall have the same meaning when  
21 applicable to any rule promulgated pursuant to such act.

22 SECTION 2. AMENDATORY 59 O.S. 2021, Section 46.4, as  
23 amended by Section 1, Chapter 62, O.S.L. 2023 (59 O.S. Supp. 2023,  
24 Section 46.4), is amended to read as follows:

1 Section 46.4. There is hereby re-created, to continue until  
2 July 1, 2026, in accordance with the provisions of the Oklahoma  
3 Sunset Law, a board to be known as the "Board of Governors of the  
4 Licensed Architects, Landscape Architects and Registered Commercial  
5 Interior Designers of Oklahoma", hereinafter referred to as the  
6 Board. The Board shall be composed of eleven (11) members including  
7 six persons who are duly licensed to practice architecture and are  
8 in good standing in this state, two persons who are duly licensed to  
9 practice landscape architecture and are in good standing in this  
10 state, two persons who are registered commercial interior designers  
11 and who are active and in good standing and one lay member. Each  
12 member of the Board shall be a qualified elector of this state, and  
13 the architect, landscape architect and registered commercial  
14 interior designer members shall have had five (5) years' licensing  
15 or registration experience as the professional position requires in  
16 this state. Re-creation of the Board shall not alter existing  
17 staggered terms. Board members, other than the lay member, shall be  
18 appointed for a period of five (5) years ~~thereafter; provided, that~~  
19 ~~nothing herein shall affect the tenure of office of anyone who is a~~  
20 ~~member of the Board on May 31, 1957.~~ A member may be reappointed to  
21 succeed ~~such membership~~ himself or herself. The licensed architect,  
22 landscape architect or the registered commercial interior designer  
23 members may be appointed by the Governor from a list of nominees  
24 submitted by respective professional societies of this state.

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

19 SECTION 3. AMENDATORY 59 O.S. 2021, Section 46.7, is  
20 amended to read as follows:

21 Section 46.7. In addition to the other powers and duties  
22 imposed by law, the Board shall have the power and duty to:

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

1           2. Prepare, conduct, and grade examinations of persons who  
2 shall apply for the issuance of licenses and registrations to them,  
3 and to promulgate such rules with reference thereto as it may deem  
4 proper as a portion used to determine competency for the issuance of  
5 licenses or registrations;

6           3. Work with nationally recognized licensing and registration  
7 organizations to prepare, conduct, and grade examinations, written  
8 or oral, of persons who shall apply for the issuance of licenses or  
9 registrations;

10          4. Determine the satisfactory passing score on examinations and  
11 issue licenses and registrations to persons who shall have passed  
12 examinations, or who shall otherwise be entitled thereto;

13          5. Determine eligibility for licenses and certificates of  
14 authority and issue them;

15          6. Determine eligibility for registration as a registered  
16 commercial interior designer and for certificate of title and issue  
17 them;

18          7. Promulgate rules to govern the issuing of reciprocal  
19 licenses and registrations;

20          8. Upon good cause shown, as hereinafter provided, deny the  
21 issuance of a license, registration, certificate of authority or  
22 certificate of title or suspend, revoke, refuse to renew or issue  
23 probation orders for licenses or registrations, and/or require  
24

1 additional educational coursework and determine when the objectives  
2 have been met;

3 9. Upon proper showing, reinstate or conditionally reinstate  
4 licenses, registrations, certificates of title or certificates of  
5 authority previously issued;

6 10. Review, affirm, reverse, vacate or modify its order with  
7 respect to any such denial, suspension, revocation, probation and/or  
8 educational coursework requirements or refusal to renew;

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

15 12. Prescribe such penalties, as it may deem proper, to be  
16 assessed against holders of licenses, registrations, certificates of  
17 authority or certificates of title for the failure to pay the  
18 biennial fee hereinafter provided for;

19 13. Levy civil penalties plus the legal costs incurred by the  
20 Board to prosecute the case against any person or entity who shall  
21 violate any of the provisions of the State Architectural and  
22 Registered Commercial Interior Designers Act, or any rule  
23 promulgated pursuant thereto;

1 14. Obtain an office, secure such facilities, and employ,  
2 direct, discharge and define the duties and set the salaries of such  
3 office personnel and set the salaries of such unclassified and  
4 exempt office personnel as deemed necessary by the Board;

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

11 16. Investigate alleged violations of the State Architectural  
12 and Registered Commercial Interior Designers Act or of the rules,  
13 orders or final decisions of the Board;

14 17. Promulgate rules of conduct governing the practice of  
15 licensed architects , landscape architects and registered commercial  
16 interior designers;

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

19 19. Whenever it deems it appropriate, confer with the Attorney  
20 General or the Attorney General's assistants in connection with all  
21 legal matters and questions. The Board may also retain an attorney  
22 who is licensed to practice law in this state. The attorney shall  
23 serve at the pleasure of the Board for such compensation as may be  
24 provided by the Board. The attorney shall advise the Board and

1 perform legal services for the Board with respect to any matters  
2 properly before the Board. In addition to the above, the Board may  
3 employ hearing examiners to conduct administrative hearings under  
4 the provisions of the Administrative Procedures Act;

5 20. Prescribe by rules, fees to be charged as required by this  
6 act;

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

17 22. Adopt rules regarding requirements for intern development  
18 as a prerequisite for licensure or registration;

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

1           24. Take such other action as may be reasonably necessary or  
2 appropriate to effectuate the State Architectural and Registered  
3 Commercial Interior Designers Act. The Board may, at its  
4 discretion, contract with other state agencies and nonprofit  
5 corporations for the endowment, management, and administration of  
6 scholarships. The requirements of such scholarships shall be  
7 determined by the Board. However, nothing contained herein shall be  
8 construed as requiring the Board to endow or award any scholarship;  
9 and

10           25. The Board may use its funds to establish and conduct  
11 instructional programs for persons who are currently licensed under  
12 the State Architectural and Registered Commercial Interior Designers  
13 Act and persons seeking licensure, as well as refresher courses for  
14 persons interested in obtaining adequate instruction or programs of  
15 study to qualify them for licensure to practice. The Board may  
16 expend its funds for these purposes and may conduct, sponsor, and  
17 arrange for instructional programs and may carry out instructional  
18 programs through extension courses or other media. The Board may  
19 enter into plans or agreements with community colleges, public or  
20 private institutions of higher learning, the State Board of  
21 Education, the Oklahoma Department of Career and Technology  
22 Education, or nonprofit organizations for the purpose of planning,  
23 scheduling, or arranging courses, instruction, extension courses, or  
24 in assisting in obtaining courses of study or programs in the fields



1 of architecture, landscape architecture, or commercial interior  
2 design. The Board shall encourage the educational institutions in  
3 Oklahoma to offer courses necessary to complete the educational  
4 requirements of Section 46.1 et seq. of this title. For the purpose  
5 of carrying out these objectives, the Board may adopt rules as may  
6 be necessary for the educational programs, instruction, extension  
7 services, or for entering into plans or contracts with persons or  
8 educational institutions and the Oklahoma Department of Career and  
9 Technology Education.

10 SECTION 4. AMENDATORY 59 O.S. 2021, Section 46.9, is  
11 amended to read as follows:

12 Section 46.9. A. The practice of architecture or landscape  
13 architecture or offering to practice these professions for others by  
14 persons licensed under this act through a partnership, ~~firm,~~  
15 ~~association,~~ corporation, limited liability company or limited  
16 liability partnership as directors, partners, officers,  
17 shareholders, ~~employees,~~ managers, members, or principals is  
18 permitted, subject to the provisions of the State Architectural and  
19 Registered Commercial Interior Designers Act, provided:

20 1. One or more of the directors, partners, officers,  
21 shareholders, managers, members or principals of said partnership,  
22 ~~firm, association,~~ corporation, limited liability company or limited  
23 liability partnership is ~~designated as being responsible for the~~  
24 ~~entity's activities and decisions~~ legally responsible for the entity

1 of ~~said~~ the partnership, ~~firm, association,~~ corporation, limited  
2 liability company or limited liability partnership; provided that,  
3 such director, partner, officer, shareholder, manager, member, or  
4 principal is duly licensed under the State Architectural and  
5 Registered Commercial Interior Designers Act; and

6 2. ~~Such director, partner, officer, shareholder, manager,~~  
7 ~~member or principal is duly licensed under the State Architectural~~  
8 ~~and Registered Commercial Interior Designers Act;~~

9 3. ~~All personnel of said partnership, firm, association,~~  
10 ~~corporation, limited liability company or limited liability~~  
11 ~~partnership which act on behalf of the entity for these professions~~  
12 ~~in the state are licensed under the State Architectural and~~  
13 ~~Registered Commercial Interior Designers Act; and~~

14 4. ~~Said~~ The partnership, ~~firm, association,~~ corporation,  
15 limited liability company or limited liability partnership has been  
16 issued a certificate of authority by the Board.

17 B. The Board shall have the power to issue, revoke, deny, or  
18 refuse to renew a certificate of authority for a partnership, ~~firm,~~  
19 ~~association,~~ corporation, limited liability company or limited  
20 liability partnership as provided for in the State Architectural and  
21 Registered Commercial Interior Designers Act.

22 C. A partnership, ~~firm, association,~~ corporation, limited  
23 liability company or limited liability partnership desiring to  
24 practice architecture or landscape architecture shall file with the

1 Board an application for a certificate of authority, and pay all  
2 fees, for each office location performing work on Oklahoma projects  
3 on a form approved by the Board which shall include the names,  
4 addresses, state of licensure and license number of all partners,  
5 directors, officers, members, managers or principals of the  
6 partnership, ~~firm, association,~~ corporation, limited liability  
7 company or limited liability partnership legally responsible for the  
8 entity's practice. The form shall name an individual having the  
9 practice of architecture in such person's charge who is a director,  
10 partner, officer, member, manager or principal. The person shall be  
11 duly licensed as an architect to practice architecture or licensed  
12 as a landscape architect to practice landscape architecture in this  
13 state through said partnership, ~~firm, association,~~ corporation,  
14 limited liability company or limited liability partnership legally  
15 responsible for the entity's practice or services offered and other  
16 information required by the Board. In the event there shall be a  
17 change in any of these persons during the term of the certification,  
18 such change shall be filed with the Board within thirty (30) days  
19 after the effective date of said change. If all of the requirements  
20 of this section and the Board's current rules have been met, the  
21 Board shall issue a certificate of authority to such partnership,  
22 ~~firm, association,~~ corporation, limited liability company or limited  
23 liability partnership.

1 D. Any other person licensed pursuant to the State  
2 Architectural and Registered Commercial Interior Designers Act, not  
3 practicing these professions as a partnership, ~~firm, association,~~  
4 corporation, limited liability company or limited liability  
5 partnership, shall practice as an individual.

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

16 F. The Secretary of State shall not issue a certificate of  
17 incorporation or register a foreign corporation or any other entity  
18 which includes among the objectives for which it is established any  
19 of the words "Architect", "Architectural", "Architecture",  
20 "Landscape Architect", "Landscape Architecture" or any modification  
21 or derivation of these words, unless the Board has issued for said  
22 applicant either a certificate of authority for an entity, or a  
23 letter indicating eligibility for an exemption pursuant to the State  
24 Architectural and Registered Commercial Interior Designers Act. The

1 entity applying shall supply such certificate or letter from the  
2 Board with its application for incorporation or registration.

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

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

13 1. One or more of the directors, partners, officers,  
14 shareholders, members, managers or principals is registered with the  
15 Board as a registered commercial interior designer and is in good  
16 standing with the Board; and

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

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

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

16 K. The Secretary of State shall not issue a certificate of  
17 incorporation or register a foreign corporation or any other entity  
18 which includes among the objectives for which it is established any  
19 of the words "Registered Commercial Interior Designer" or any  
20 modification or derivation of these words, unless the Board has  
21 issued for the applicant either a certificate of title for an  
22 entity, or a letter indicating the eligibility for an exemption  
23 pursuant to the State Architectural and Registered Commercial  
24 Interior Designers Act. The firm applying shall supply such

1 certificate of title or letter from the Board with its application  
2 for incorporation or registration.

3 L. The Secretary of State shall not register any trade name or  
4 service mark which includes such words as set forth in subsection K  
5 of this section, or modification or derivatives thereof in its firm  
6 name or logotype except those entities or individuals holding  
7 certificates of title issued under the provisions of this section or  
8 letters of eligibility issued by the Board.

9 M. Upon application for renewal and upon compliance with the  
10 provisions of the State Architectural and Registered Commercial  
11 Interior Designers Act and the rules of the Board, a certificate of  
12 title shall be renewed as provided in this act.

13 N. Upon application for renewal and upon compliance with the  
14 provisions of the State Architectural and Registered Commercial  
15 Interior Designers Act and the rules of the Board, a certificate of  
16 authority shall be renewed as provided in this act.

17 SECTION 5. AMENDATORY 59 O.S. 2021, Section 46.10, is  
18 amended to read as follows:

19 Section 46.10. A. Every licensed architect, landscape  
20 architect ~~and~~, registered commercial interior designer, partnership,  
21 corporation, limited liability company, or limited liability  
22 partnership shall pay to the Board a renewal fee as prescribed by  
23 the rules of the Board prior to or on June 30 of odd-numbered years.  
24 No license, registration, certificate of authority, or certificate

1 of title shall be issued or renewed for longer than two (2) years.

2 Upon receipt of the fee the Board shall issue a renewal ~~of the~~  
3 ~~license or registration,~~ which shall authorize the person,  
4 partnership, corporation, limited liability company, or limited  
5 liability partnership to practice architecture, landscape  
6 architecture or use the title registered commercial interior  
7 designer, as the case may be, in this state.

8 B. The license of an architect or landscape architect or the  
9 registration of a registered commercial interior designer which has  
10 been canceled by the Board for nonpayment of dues may be renewed at  
11 any time within three (3) years from the date of the cancellation,  
12 upon payment to the Board ~~of the fees which had accrued at the time~~  
13 ~~of the cancellation and which would have been paid at the time of~~  
14 ~~reinstatement had not the license or registration been suspended,~~  
15 ~~together with payment of the amount~~ of the fees and any of the  
16 ~~penalties which may have been prescribed by the Board.~~ If a license  
17 or registration, initially granted by the state that was the sole  
18 license of a professional, remains canceled for a period exceeding  
19 three (3) consecutive years, it ~~shall not~~ may be reinstated ~~unless~~  
20 ~~the licensee or registrant has taken or submitted to a test or a~~  
21 ~~quiz or a~~ subject to Board review ~~or an examination as the~~  
22 ~~circumstances of the individual case may warrant and as may be~~  
23 ~~prescribed by the Board.~~ Upon review, the Board may prescribe a  
24 test or examination in order to determine continued competency of



1 the licensee or registrant. An individual who is licensed in  
2 another jurisdiction and whose Oklahoma license has been canceled  
3 for a period exceeding three (3) consecutive years may reapply as  
4 prescribed by rules of the Board. A partnership, ~~firm, association,~~  
5 corporation, limited liability company or limited liability  
6 partnership shall ~~pay to the Board the fee prescribed and may~~  
7 reinstate a certificate of authority or a certificate of title  
8 canceled for a period exceeding three (3) years in the manner  
9 provided by the rules of the Board ~~for the renewal of the~~  
10 ~~certificate of authority or certificate of title for such~~  
11 ~~partnership, firm, association, corporation, limited liability~~  
12 ~~company or limited liability partnership.~~

13 SECTION 6. AMENDATORY 59 O.S. 2021, Section 46.21, is  
14 amended to read as follows:

15 Section 46.21. A. The State Architectural and Registered  
16 Commercial Interior Designers Act shall not apply to any persons,  
17 firms, corporations, limited liability companies or limited  
18 liability partnerships that do not hold a license, registration or  
19 certification in any jurisdiction for exempted Code Use Groups  
20 defined by the State Architectural and Registered Commercial  
21 Interior Designers Act, providing such persons and/or entities shall  
22 not represent such person or entity to be an architect or other  
23 title of profession or business using a form of the word,  
24

1 "Architect". This act shall not prevent such persons and/or  
2 entities from advertising or selling their services.

3 Any architect, landscape architect or registered commercial  
4 interior designer from any jurisdiction that contracts, provides or  
5 holds out to the public that they are able to provide professional  
6 services in Oklahoma is required to hold a license, registration or  
7 certificate of authority or certificate of title as needed from the  
8 Board, even on exempt Code Use Groups, and an architect or landscape  
9 architect is required to sign, seal and date all construction  
10 documents and technical submissions.

11 B. Nothing in this act shall be construed to prevent the  
12 preparation of technical submissions or the administration of  
13 construction contracts by employees of a person or entity lawfully  
14 engaged in the practice of architecture when such employees are  
15 acting under the responsible control of a licensed architect.

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

17 1. Nothing in this act shall prohibit a person or firm from  
18 participating in an architectural design competition involving only  
19 architectural programming, planning, schematic design or design  
20 development information provided to a sponsor; and

21 2. The competition winner, prior to seeking the commission for  
22 architectural services on the proposed project, shall apply for  
23 licensing in this state within ten (10) days of notification of  
24

1 winning the competition and complete the process within thirty (30)  
2 days.

3 D. Nothing in this act shall prohibit an officer or employee of  
4 the United States Armed Forces or an employee of the United States  
5 government from practicing within the scope of his or her authority  
6 and employment.

7 SECTION 7. AMENDATORY 59 O.S. 2021, Section 46.21b, is  
8 amended to read as follows:

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

15 B. The construction, addition or alteration of a building of  
16 any size or occupancy in the following Code Use Groups shall be  
17 subject to the provisions of the State Architectural and Registered  
18 Commercial Interior Designers Act:

- 19 1. Code Use Group I - Institutional;
- 20 2. Code Use Group R-2 - Residential, limited to dormitories,  
21 fraternities and sororities, and monasteries and convents;
- 22 3. Code Use Group A-1 - Assembly and theaters;
- 23 4. Code Use Group A-4 - Assembly, arenas and courts;

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

3           6. Buildings for which the designated Code Use Group changes  
4 are not exempt from the State Architectural and Registered  
5 Commercial Interior Designers Act.

6           C. The following shall be exempt from the provisions of the  
7 State Architectural and Registered Commercial Interior Designers  
8 Act; provided that, for the purposes of this subsection, a basement  
9 is not to be counted as a story for the purpose of counting stories  
10 of a building for height regulations:

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

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

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

23           4. The construction, addition or alteration of a building no  
24 more than two stories in height and with a gross square footage not

1 exceeding two hundred thousand (200,000) in the Code Use Group M -  
2 Mercantile; and

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

- 6 a. Code Use Group U - Utility,
- 7 b. Code Use Group F - Factory and Industrial,
- 8 c. Code Use Group H - High hazard,
- 9 d. Code Use Group S - Storage,
- 10 e. Code Use Group R2 - Residential, including apartments  
11 containing no more than thirty-two dwelling units or  
12 thirty-two guest units per building,
- 13 f. Code Use Groups R3 and R4 - Residential,
- 14 g. all buildings used by a municipality, county, state,  
15 public trust, public agency or the federal government  
16 with a construction value under One Hundred Fifty-  
17 eight Thousand Dollars (\$158,000.00),
- 18 h. incidental buildings or appurtenances associated with  
19 paragraphs 1 through 5 of this subsection, and
- 20 i. all uninhabitable, privately owned agricultural  
21 buildings; and

22 6. Single or two-family residential dwellings, as defined by  
23 the International Residential Code adopted by the Oklahoma Uniform  
24

1 Building Code Commission, are exempted from the State Architectural  
2 and Registered Commercial Interior Designers Act.

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

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

13 SECTION 8. AMENDATORY 59 O.S. 2021, Section 46.38, is  
14 amended to read as follows:

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

22 1. Holds an accredited professional degree in interior design  
23 from an interior design program accredited by the Council for  
24 Interior Design Accreditation or its successor, or from an interior

1 design program determined by the Board to be substantially  
2 equivalent to an accredited program;

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

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

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

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

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

24 E. Certificate of title shall be subject to the following:  
25

1           1. The use of the title "Registered Commercial Interior  
2 Designer" by a partnership, ~~firm, association,~~ corporation, limited  
3 liability company or limited liability partnership is allowed to  
4 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 interior designer and is in good  
8 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 by  
12 the Board;

13           2. The Board shall have the power to issue, revoke, deny or  
14 refuse to renew a certificate of title for a partnership, ~~firm,~~  
15 ~~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 on a form  
20 approved by the Board which shall include the names, addresses,  
21 state of registration and registration number of all directors,  
22 partners, officers, shareholders, members, managers or principals of  
23 the partnership, ~~firm, association,~~ corporation, limited liability  
24 company or limited liability partnership. In the event there shall



1 be a change in any of these persons during the term of  
2 certification, the change shall be filed with the Board within  
3 thirty (30) days after the effective date of the change. If all the  
4 requirements of this section and the Board's current rules have been  
5 met, the Board shall issue a certificate of title to the  
6 partnership, ~~firm, association,~~ corporation, limited liability  
7 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 Interior Designer" or any modification  
12 or derivation of these words, unless the Board has issued for the  
13 applicant either a certificate of title for an entity, or a letter  
14 indicating the eligibility for an exemption pursuant to the  
15 requirements of this act. The firm applying shall supply the  
16 certificate of title or letter from the Board with its application  
17 for incorporation or registration;

18 5. The Secretary of State shall not register any trade name or  
19 service mark which includes such words as set forth in paragraph 4  
20 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 issued under the provisions of this section or  
23 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 shall be renewed as provided by this act.

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

16 SECTION 9. REPEALER 59 O.S. 2021, Section 46.11, is  
17 hereby repealed.

18 SECTION 10. This act shall become effective November 1, 2024.

19  
20 59-2-3054 MR 1/18/2024 1:31:28 PM  
21  
22  
23  
24  
25