

FIRST REGULAR SESSION

HOUSE BILL NO. 1238

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MILLER.

2459H.01I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

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

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

Section A. Section 327.401, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 327.401, to read as follows:

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

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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

34 (2) The person or persons who is or are personally in charge and supervises or supervise
35 the architectural or professional engineering or professional land surveying or professional
36 landscape architectural activities, as the case may be, of any such corporation in this state shall
37 be licensed and authorized to practice architecture or professional engineering or professional
38 land surveying or professional landscape architecture, as the case may be, as provided in this
39 chapter; and

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

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

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