

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 466

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO ARCHITECTS; AMENDING SECTION 54-303, IDAHO CODE, TO PROVIDE
2 THAT SUBMITTING A RESPONSE TO ANY REQUEST FOR QUALIFICATION, REQUEST
3 FOR PROPOSAL, OR OTHER SOLICITATION FOR SERVICES WITHIN THE STATE IS
4 WITHIN THE DEFINITION OF THE PRACTICE OF ARCHITECTURE; AMENDING SECTION
5 54-305, IDAHO CODE, TO PROVIDE THAT NO FIRM OR CORPORATION SHALL OFFER
6 TO PRACTICE ARCHITECTURE WITHIN THIS STATE UNLESS AN ARCHITECT WHO IS
7 LICENSED IN IDAHO IS IDENTIFIED IN SUCH OFFER TO PROVIDE SUPERVISION;
8 AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 54-303, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 54-303. DEFINITIONS. As used in this chapter:

14 (1) "Architect" means a person who engages in the practice of architec-
15 ture as defined in this section and is licensed under the provisions of this
16 chapter.

17 (2) "Architectural intern" means a person enrolled in a national coun-
18 cil of architectural registration boards¹ architectural experience program
19 and who, in fulfillment of the requirements of that program, is working under
20 the direct supervision of an architect licensed under this chapter.

21 (3) "Board" means the board of architects and landscape architects.

22 (4) "Building" means an enclosure, including related improvements,
23 that has as its principal purpose the adaptation of space for occupancy or
24 habitation by human beings.

25 (5) "Practice of architecture" means rendering or offering those ser-
26 vices described in this subsection in connection with the design, construc-
27 tion, enlargement or alteration of a building or a group of buildings. The
28 services covered within this definition include architectural planning, ad-
29 vice and consultation; submitting a response to any request for qualifica-
30 tion, request for proposal, or other solicitation for services within the
31 state; providing preliminary studies; architectural designs, drawings and
32 specifications; technical submissions; and administration of construction
33 contracts.

34 (6) "Prototypical building" means any commercial building or space
35 within a commercial building that is intended to be constructed in multiple
36 locations, that has been constructed in multiple locations and that conveys
37 an owner's intended uniform business program, plan or image.

38 (7) "Prototypical building documents" means technical submissions for
39 prototypical buildings that:

40 (a) Are prepared by or under the responsible control of an architect
41 ~~then~~ licensed in any jurisdiction and holding the certification issued
42 by the national council of architectural registration boards;

1 (b) Identify the architect, together with the architect's license num-
2 ber and jurisdiction or the architect's license and national council of
3 architectural registration boards certification number; and

4 (c) Are marked "prototypical design documents not for construction."
5 Prototypical building documents do not comprise a final, comprehensive
6 set of design and construction documents because a prototypical build-
7 ing also requires adaptations for local conditions, including site con-
8 ditions, and may require additional design.

9 (8) "Responsible control" means that amount of control over and de-
10 tailed knowledge of the content of technical submissions during their
11 preparation as is ordinarily exercised by registered architects applying
12 the required professional standard of care. Reviewing, or reviewing and
13 correcting, technical submissions after they have been prepared by others
14 does not constitute the exercise of responsible control because the reviewer
15 has neither control over nor detailed knowledge of the content of such sub-
16 missions throughout their preparation.

17 (9) "Technical submissions" involving the practice of architecture
18 consist of designs, drawings, specifications, studies and other technical
19 reports prepared in the course of practicing architecture.

20 SECTION 2. That Section 54-305, Idaho Code, be, and the same is hereby
21 amended to read as follows:

22 54-305. LICENSE REQUIRED. (1) Every person practicing or offering to
23 practice architecture as defined in this chapter and not otherwise exempted
24 shall have a separate license under his own name. A license shall not be
25 issued in the name of any firm or corporation. No firm or corporation shall
26 offer to practice architecture within Idaho unless such offer specifically
27 identifies an individual architect licensed under the provisions of this
28 chapter who will supervise the architectural services identified in such
29 offer.

30 (2) The holder of a license shall not maintain in the practice of archi-
31 tecture any person who does not hold a license to practice architecture in
32 this state, unless the unlicensed person works under the responsible control
33 of his licensed supervisor.

34 SECTION 3. An emergency existing therefor, which emergency is hereby
35 declared to exist, this act shall be in full force and effect on and after
36 July 1, 2024.