
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2000

Session of
1981

INTRODUCED BY GEIST, SEVENTY, ARTY, WACHOB, DAWIDA, BITTLE,
L. E. SMITH, SPENCER, SWEET, COLAFELLA, CORDISCO, DAIKELER,
GLADECK, LEHR, ANDERSON AND NOYE, OCTOBER 21, 1981

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF
REPRESENTATIVES, AS AMENDED, DECEMBER 16, 1981

AN ACT

1 Regulating the practice of architecture in the Commonwealth of
2 Pennsylvania; providing for the examination and licensure of
3 architects by a State Architects Licensure Board and
4 providing penalties.

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13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Short title.

16 This act shall be known and may be cited as the "Architects
17 Licensure Law."

18 Section 2. Declaration of purpose.

19 In order to protect the health, safety and property of the
20 people of the Commonwealth of Pennsylvania and to promote their
21 welfare, no person shall engage in the practice of architecture
22 in this Commonwealth except in compliance with the requirements
23 of this act.

24 Section 3. Definitions.

25 The followings words and phrases when used in this act shall
26 have, unless the context clearly indicates otherwise, the
27 meanings given to them in this section:

28 "Architect." An individual licensed under this act to engage
29 in the practice of architecture within the Commonwealth of
30 Pennsylvania.

1 "Board." The Architects Licensure Board established by this
2 act.

3 "Certificate." The certificate of licensure issued by the
4 board indicating that the individual named therein is an
5 architect.

6 "Practice of architecture." The rendering or offering to
7 render certain services, hereinafter described, in connection
8 with the design and construction of a structure or group of
9 structures which have as their principal purpose human
10 habitation or use, and the utilization of space within and
11 surrounding such structures. The services referred to in the
12 previous sentence include planning, providing preliminary
13 studies, designs, drawings, specifications, and other design
14 documents, construction management and administration of
15 construction contracts.

16 "Accredited school." Any educational institution with an
17 academic program in architecture accredited by a national
18 architectural accrediting body or approved by the board.

19 "Professional degree." A first professional degree in
20 architecture conferred by an accredited school.

21 Section 4. Creation of board, appointment and term of members
22 and officers.

23 (a) There is hereby established an Architects Licensure
24 Board which shall consist of the Commissioner of Professional
25 and Occupational Affairs, two members who shall represent the
26 public at large, and five members, all of whom shall be
27 architects, who have been in the active practice of architecture
28 in the Commonwealth of Pennsylvania for not less than seven
29 years prior to their appointment.

30 (b) Each member of the board shall be appointed by the

1 Governor with the advice and consent of the Senate. The
2 presently confirmed members of the existing State Board of
3 Examiners of Architects constituted under the act of July 12,
4 1919 (P.L.933, No.369), referred to as the Architects
5 Registration Law, as of the effective date of this act, shall
6 continue to serve as board members until their present terms of
7 office expire. When terms of the present board members expire,
8 the next term of succeeding board members shall be designated to
9 expire at different times so that one member shall be appointed
10 for a term of one year, one member shall be appointed for a term
11 of two years, one member shall be appointed for a term of three
12 years, one member shall be appointed for a term of four years,
13 and one member shall be appointed for a full term of five years.
14 Successive terms shall be four years or until his successor is
15 appointed and qualified.

16 (c) Vacancies occurring in the membership of the board shall
17 be filled by the Governor, with the advice and consent of the
18 Senate, for the unexpired portion of the term. A member
19 appointed for a full term shall not be eligible for more than
20 two consecutive full terms.

21 (d) Each member of the board shall take and subscribe to the
22 oath of office generally required of State officials.

23 (e) The Governor may remove any member of the board for
24 misconduct, incompetence, neglect of duty or any sufficient
25 cause in the manner prescribed by law for the removal of State
26 officials.

27 Section 5. Organization of board.

28 (a) An organizational meeting of the board shall be held
29 annually at which time the board shall elect from its membership
30 a president, a vice-president and a secretary, who shall serve

1 for one year or until their successors are duly elected. Other
2 meetings of the board may be called in accordance with rules and
3 regulations promulgated by the board.

4 (b) Should a vacancy in the office of president, vice-
5 president or secretary of the board occur, the remaining members
6 of the board shall fill such vacancy by election.

7 (c) The majority of the board shall constitute a quorum for
8 the transaction of all business, but no action shall be taken at
9 any meeting without the majority of the current board membership
10 in accord.

11 (d) Each member of the board, except the Commissioner of
12 Professional and Occupational Affairs, shall be entitled to
13 receive a per diem in an amount to be determined biennially by
14 the commissioner consistent with fees paid such boards. In
15 addition to the above per diem allowance, each member shall be
16 reimbursed for all reasonable traveling, lodging and other
17 necessary expenses incurred in the performance of duties under
18 this act.

19 Section 6. Powers of board.

20 (a) The board may establish such rules and regulations
21 consistent with this act for the conduct of its own proceedings
22 as it deems appropriate. Such proposed rules or regulations or
23 amendments thereto shall be transmitted to the Speaker of the
24 House of Representatives and to the President pro tempore of the
25 Senate who shall authorize and direct an appropriate committee
26 to review the proposals. Either committee may within 30 calendar
27 days or five legislative days, whichever is later, recommend
28 disapproval of the proposed rules or regulations or amendments
29 thereto to the General Assembly. Subsequent to a recommendation
30 for disapproval by either committee, the General Assembly may by

1 concurrent resolution, within 30 calendar days or five
2 legislative days, whichever is later, disapprove the proposed
3 rules, regulations or amendments thereto. Any rule or regulation
4 or amendment thereto not disapproved by the General Assembly
5 within the allotted time may be finally adopted by the
6 department pursuant to the Commonwealth Documents Law. Any rule
7 or regulation or amendment thereto which has not been submitted
8 to the General Assembly pursuant to this section or which has
9 been disapproved shall be null and void and without effect.

10 (b) The board may establish, by regulations consistent with
11 the policy contained in this act, standards of professional
12 conduct for architects.

13 (c) The board shall schedule examinations in compliance with
14 the provisions of the act of April 9, 1929 (P.L.177, No.175),
15 known as "The Administrative Code of 1929," for individuals
16 applying for certificates at least once each year, provided the
17 applicants are qualified under sections 8 and 9. The board may
18 establish such rules and regulations consistent with this act
19 for the examination of applicants as it deems appropriate.

20 (d) The board shall issue certificates to individuals who
21 have qualified to engage in the practice of architecture under
22 the provisions of this act. The board may establish such rules
23 and regulations consistent with this act for the issuance and
24 renewal of certificates as it deems appropriate, including rules
25 for the issuance of certificates by reciprocity.

26 (e) The board shall have the power to administer and enforce
27 the laws of the Commonwealth of Pennsylvania relating to the
28 practice of architecture and to instruct and require its agents
29 to initiate appropriate proceedings for unauthorized and
30 unlawful practice.

1 (f) The board shall have the power to take disciplinary
2 action as described in this act. In all disciplinary proceedings
3 brought pursuant to this act, the board shall have the power to
4 administer oaths, to summon witnesses, and to compel the
5 production of documents in accordance with law. Upon the failure
6 of any person to appear or produce documents in accordance with
7 the board's order, the board may take appropriate action in
8 accordance with the act of October 15, 1980 (P.L.950, No.164),
9 known as the "Commonwealth Attorneys Act," to enforce
10 compliance.

11 (g) The board shall have the power to take appropriate
12 actions to initiate injunction and criminal prosecution
13 proceedings in connection with the unlawful and unauthorized
14 practice of architecture or other violations of this act.
15 Injunction and criminal proceedings shall be instituted in
16 accordance with the "Commonwealth Attorneys Act."

17 (h) The board shall have the power to appoint, with the
18 approval of the Governor, such ~~representatives~~ HEARING EXAMINERS <—
19 as shall be necessary to conduct hearings as may be required
20 under section 21. The board shall have the power to adopt and
21 promulgate rules and regulations setting forth the functions,
22 powers, standards and duties to be followed by its
23 representatives.

24 Section 7. Duties of board.

25 (a) The board shall keep a record of its proceedings and the
26 board shall keep records relating to applications. Records
27 relating to applications shall include the name, age and last
28 known address of each applicant for licensure, information
29 concerning each applicant's education, experience and other
30 qualifications, the text of all examinations administered and

1 the results thereof and such other information as the board
2 deems appropriate. The records of the board shall be prima facie
3 evidence in the proceedings and a certified transcript by the
4 secretary shall be admissible in evidence with the same force
5 and effect as if the original were produced.

6 (b) The board shall maintain an up-to-date roster showing
7 the names and addresses of the places of business of all
8 architects licensed under this act, and under prior laws, and
9 licensed by the board, which roster shall be published in
10 booklet form by the board every five years. In the interim years
11 following the publishing of the complete roster, the board shall
12 each year publish a supplemental roster containing the name,
13 license numbers where applicable, and addresses of all
14 architects licensed by the board subsequent to the publishing of
15 the last published roster or supplemental roster.

16 (c) The board shall maintain records relating to all
17 architects licensed in the Commonwealth of Pennsylvania. Such
18 records shall include all information directly related to the
19 practice of architecture as defined herein.

20 (d) Annually at the end of its fiscal year, the board shall
21 submit to the Commissioner of Professional and Occupational
22 Affairs a report of its activities and transactions of the
23 preceding year. The board shall also submit to the Commissioner
24 of Professional and Occupational Affairs a proposed budget
25 request for its operation for the succeeding fiscal year.

26 Section 8. Examination and qualification of applicants.

27 (a) Any individual of good character, who is a legal
28 resident of Pennsylvania or who is in the employ of an architect
29 licensed with the board and who maintains a practice in the
30 Commonwealth of Pennsylvania under a permanent Pennsylvania

1 business address may apply for a certificate under this act.

2 (b) Each applicant for a certificate shall submit evidence
3 satisfactory to the board that the applicant holds a
4 professional degree in architecture from an accredited school
5 and has obtained at least three years' practical experience in
6 the employ of a registered architect or as part of the
7 applicant's academic training. In lieu of a professional degree
8 in architecture, the board may accept evidence of at least six
9 years' practical experience obtained in the employ of a
10 registered architect or as part of the applicant's academic
11 training. The board may require that applicants who do not hold
12 a professional degree in architecture must first pass a
13 qualifying examination before being admitted to the licensing
14 examination described in subsection (c). The board may at its
15 discretion adopt as its standards for minimum education and
16 experience, the current guidelines on education, training and
17 experience equivalents adopted by the National Council of
18 Architectural Registration Boards.

19 (c) Each applicant for licensing who satisfies subsections
20 (a) and (b) shall submit to a licensing examination. The
21 examination shall cover such technical and professional subjects
22 and shall be graded on such basis as the board shall by
23 regulation prescribe. The board may at its discretion adopt the
24 examination and recommended grading procedures adopted by the
25 National Council of Architectural Registration Boards.

26 (d) The board may require applicants under this section and
27 section 9 to appear for a personal interview.

28 Section 9. Reciprocal licensing.

29 (a) The board may issue a certificate, without examination,
30 to any individual who is registered or certified as an architect

1 in another state or country where the qualifications required
2 are equivalent to those required in this State. The possession
3 of a certificate from the National Council on Architectural
4 Registration Boards shall be prima facie evidence that the
5 individual meets the qualifications required in this State.

6 (b) The board may issue a certificate to individuals who
7 have lawfully practiced architecture in another state or country
8 for a period of more than ten years if such individual achieves
9 a satisfactory score on a practical examination of a nature
10 determined by the board.

11 (c) A resident of another state who is licensed to engage in
12 the practice of architecture in the state where his office is
13 located may offer to perform architectural services in the
14 Commonwealth of Pennsylvania without first obtaining a
15 certificate. Architectural services, however, may not actually
16 be performed by a nonresident architect until a certificate is
17 obtained.

18 (d) An individual who is licensed to engage in the practice
19 of architecture in a foreign country where his office is located
20 and in addition holds a National Council of Architectural
21 Registration Board Certificate may be admitted to this
22 Commonwealth for the purpose of offering to perform
23 architectural services and for that purpose only without first
24 obtaining a certificate. Architectural services, however, may
25 not actually be performed by a foreign architect until a
26 certificate is obtained.

27 Section 10. Issuance and renewal of certificates.

28 (a) Upon payment of the fees required by section 11, an
29 individual who has complied with section 8 or 9 shall be
30 entitled to a certificate indicating that he is qualified to

1 engage in the practice of architecture in this Commonwealth.
2 Each certificate shall contain the name of the individual to
3 whom it was issued and shall be valid for a period of two years.

4 (b) Every certificate shall expire on the day prescribed by
5 rules and regulations promulgated by the board. An architect may
6 renew his certificate by paying the renewal fee required by
7 section 11(c). If the licensee fails to pay the renewal fee when
8 required and fails to notify the board of his or her intention
9 not to practice architecture, his certificate and his right to
10 practice architecture shall expire. An architect who fails to
11 renew his certificate may not engage in the practice of
12 architecture and may not thereafter renew his certificate except
13 upon payment of the renewal fee, penalty fee and the restoration
14 fee required by section 11(c).

15 (c) A duplicate certificate to replace one which has been
16 lost, destroyed or mutilated may be issued by the board upon
17 payment of the fee required by section 11(d). The board reserves
18 the right to require architects requesting duplicate
19 certificates to furnish documentation satisfactory to the board
20 relative to loss, destruction or mutilation of original
21 certificate.

22 (d) Certificates issued to architects shall not be
23 transferable.

24 Section 11. Payment and disposition of fees.

25 (a) The fee to be paid by an applicant for licensure shall
26 be established by rules and regulations promulgated by the board
27 after consultation with the Commissioner of Professional and
28 Occupational Affairs. A fee for reexamination in the amount
29 established by the board after consultation with the
30 Commissioner of Professional and Occupational Affairs shall be

1 paid by an applicant each time he is required to take a
2 reexamination.

3 (b) The fee to be paid by an applicant who is an architect
4 licensed under the laws of another state or country, and who
5 seeks licensure pursuant to section 9, shall be established by
6 rules and regulations promulgated by the board after
7 consultation with the Commissioner of Professional and
8 Occupational Affairs.

9 (c) The fee to be paid for the renewal of a certificate and
10 the fee for the restoration of an expired certificate shall be
11 established by rules and regulations promulgated by the board
12 after consultation with the Commissioner of Professional and
13 Occupational Affairs.

14 (d) The fee to be paid for the issuance of a duplicate
15 certificate shall be established by rules and regulations
16 promulgated by the board after consultation with the
17 Commissioner of Professional and Occupational Affairs.

18 (e) Fee shall be collected and appropriated in accordance
19 with the act of July 1, 1978 (P.L.700, No.124), known as the
20 "Bureau of Professional and Occupational Affairs Fee Act."
21 Section 12. Seal of architect.

22 (a) Every architect shall obtain a seal approved by rules
23 and regulations promulgated by the board and shall impress said
24 seal on drawings, specifications and other design documents
25 prepared by the individual or under the architect's personal
26 supervision for use in this State. An architect who impresses
27 his seal or knowingly permits it to be impressed on drawings,
28 specifications or other design documents which were not prepared
29 by him or under his personal supervision shall be guilty of a
30 violation of this act and shall be subject to the penalties

1 provided herein. Any person who impresses an architect's seal or
2 knowingly permits it to be impressed on drawings, specifications
3 or other design documents after the architect's certificate has
4 expired, or has been revoked, annulled or suspended, shall be
5 guilty of a violation of this act and shall be subject to the
6 penalties provided herein.

7 (b) A stamp of design identical to the prescribed seal may
8 be used in lieu of a seal.

9 (c) Upon the forfeiture, revocation, suspension or annulment
10 of a certificate, or upon expiration of a certificate without
11 renewal, an architect shall surrender his or her seal or stamp
12 to the board. Upon the death of an architect, his personal
13 representative shall surrender said seal or stamp to the board
14 in accordance with rules and regulations promulgated by the
15 board. The board shall have the power to take appropriate
16 action, in accordance with the "Commonwealth Attorneys Act," to
17 enforce this subsection.

18 Section 13. Firm practice.

19 (a) Architects in Pennsylvania may practice architecture in
20 one of the following forms:

21 (1) sole proprietorship, INCLUDING, BUT NOT LIMITED TO, <—
22 THE PRACTICE OF ARCHITECTURE IN PENNSYLVANIA BY A LICENSED
23 ARCHITECT WHO IS AN EMPLOYEE OF A PERSON, PARTNERSHIP OR
24 CORPORATION, PROVIDED THE ARCHITECT'S SEAL IS AFFIXED TO ALL
25 DOCUMENTS;

26 (2) partnership;

27 (3) professional association;

28 (4) professional corporation; or

29 (5) business corporation.

30 (b) A partnership may engage in the practice of architecture

1 in Pennsylvania provided it complies with the provisions of 59
2 Pa.C.S. Ch.3 (relating to general partnerships) and that it also
3 satisfies the following requirements:

4 (1) At least two-thirds of the partners are licensed
5 under the laws of any state to practice architecture,
6 engineering or landscape architecture.

7 (2) At least one-third of the partners are licensed
8 under the laws of any state to practice architecture.

9 (c) A professional association may engage in the practice of
10 architecture in Pennsylvania provided it complies with the
11 provisions of the act of August 7, 1961 (P.L.941, No.416), known
12 as the "Professional Association Act," and must also satisfy the
13 following requirements:

14 (1) At least two-thirds of the members of the board of
15 governors are licensed under the laws of any state to
16 practice architecture, engineering or landscape architecture.

17 (2) At least one-third of the members of the board of
18 governors are licensed under the laws of any state to
19 practice architecture.

20 (d) A professional corporation shall comply with the
21 provisions of the act of July 9, 1970 (P.L.461, No.160), known
22 as the "Professional Corporation Law."

23 (e) A business corporation may engage in the practice of
24 architecture in Pennsylvania, Provided, That it complies with
25 provided that it complies with the act of May 15, 1933 (P.L.364,
26 No.106), known as the "Business Corporation Law," and that it
27 also satisfies the following requirements:

28 (1) At least two-thirds of the directors are licensed
29 under the laws of any state to practice architecture,
30 engineering or landscape architecture.

(2) At least one-third of the directors are licensed under the laws of any state to practice architecture.

(f) Each project undertaken by a firm in the Commonwealth of Pennsylvania must be under the personal supervision of a partner in the case of a partnership, a member of the board of governors in the case of a professional association, a shareholder in the case of a professional corporation, or a director in the case of a business corporation, who holds a certificate to engage in the practice of architecture in this Commonwealth pursuant to this act. The seal of such individuals must appear on all drawings, specifications and other design documents issued by the firm for such projects.

(g) The board shall by promulgation of rules and regulations, require any partnership, professional association, professional corporation or business corporation practicing architecture in this State to file with the board information concerning its officers, directors, partners, professional association board of governors, beneficial owners and such other aspects of its organization as the board deems appropriate. In the administration of this subsection, the board may require each partnership, professional association, professional corporation or business corporation to pay an annual filing fee in the amount determined by the board by promulgation of rules and regulations.

(h) No corporation, professional association or partnership may perform any act relating to the practice of architecture which an individual architect is prohibited from doing.

Section 14. Firm names.

An individual or group of individuals satisfying the requirements of this act and engaged in the practice of

1 architecture in this Commonwealth may adopt any name which is
2 not prohibited by law or the ethics of the profession in which
3 the individual or group of individuals is engaged or by rules
4 and regulations promulgated by the board.

5 Section 15. Permitted practices.

6 Nothing contained in this act shall be construed to prohibit:

7 (1) Persons acting under the personal supervision of an
8 architect from carrying out their normal duties in the
9 preparation of drawings, specifications and other design and
10 construction documents or in administering construction
11 contracts or in performing construction management services.

12 (2) Engineers registered under the act of May 23, 1945
13 (P.L.913, No.367), known as the "Professional Engineers
14 Registration Law," as amended, FROM PERFORMING THE SERVICES <—
15 FOR WHICH THEY ARE DULY LICENSED OR from performing such
16 services included in the practice of architecture as may be
17 incidental to their engineering work.

18 (3) The preparation of any shop drawings or the
19 performance of construction management services by persons
20 customarily engaged in construction work.

21 (4) The preparation of any drawings or other design
22 documents by an individual for a single-family residence of
23 any size or cost which is to be used by such individual as
24 his or her home.

25 (5) The preparation of any drawings or other design
26 documents for any utility or farm structure when such utility
27 or farm structure is used in connection with a farm
28 residence.

29 (6) The preparation of any drawings or other design
30 documents for the remodeling or alteration of a building not

1 involving structural or egress changes or additions thereto,
2 provided that the author of such plans or other design
3 documents shall not receive any compensation as the author
4 thereof.

5 (7) Officers and employees of the Government of the
6 United States, while engaged within this Commonwealth, in the
7 practice of architecture for said government.

8 (8) Any person while in the regular employment of any
9 railroad, telephone or telegraph company engaged in
10 interstate commerce.

11 Section 16. Existing licenses.

12 Nothing in this act shall be construed to terminate any
13 rights of individual architects licensed and engaged in the
14 practice of architecture at the time of the passage of this act.
15 Any architect so licensed shall be allowed to continue his
16 licensure and to practice architecture in a manner consistent
17 with the provisions of this act.

18 Section 17. Existing rules and regulations.

19 Each rule and regulation of the board in effect on the date
20 of the passage of this act shall remain in effect after such
21 date until repealed or amended by the board, unless such rule or
22 regulation is inconsistent with any provision of this act.

23 Section 18. Unauthorized practice prohibited.

24 (a) Except as provided in section 9(c) and (d), no
25 individual shall engage in the practice, or offer to engage in
26 the practice of architecture in this State, or use the title of
27 architect or use any sign, card or device implying that such
28 individual is an architect, or is competent to engage in the
29 practice of architecture, unless such individual holds a
30 currently valid certificate issued pursuant to this act.

(b) Except as provided in section 9(c) and (d), no partnership, professional association or corporation shall engage in the practice or offer to engage in the practice of architecture in this Commonwealth, or use any title, sign, card or device implying that such partnership, professional association or corporation is competent to engage in the practice of architecture, unless such partnership, professional association or corporation complies with section 13.

Section 19. Disciplinary proceedings.

(a) The board may refuse to issue a certificate to an applicant or may refuse, revoke or suspend a certificate, censure an architect, issue a letter of reprimand, restrict a certificate holder and attach certain conditions to a certificate for any of the following acts:

(1) Bribery, fraud, misstatement or misrepresentation of fact by an applicant in connection with this application for a certificate.

(2) Engaging in the practice of architecture in this Commonwealth in violation of any provisions of this act or the rules and regulations promulgated thereunder.

(3) Having a license to practice architecture revoked or suspended or having other disciplinary action taken by the proper licensing authority of another state, territory or country.

(4) Engaging in the practice of architecture in this Commonwealth in violation of the standards of professional conduct established by rules and regulations promulgated by the board.

(5) Aiding or abetting any individual, partnership, association or corporation to engage in the practice of

1 architecture in violation of any provisions of this act.

2 (6) Bribery, fraud, deceit, recklessness, gross
3 negligence or incompetence in the practice of architecture.

4 (7) Use of an architect's seal in violation of section
5 12.

6 (8) Conviction of a felony or a crime involving moral
7 turpitude. Conviction shall include a finding or verdict of
8 guilt, an admission of guilt or a plea of nolo contendere.

9 (b) A plea of nolo contendere shall be deemed to be a
10 conviction for purposes of this section.

11 Section 20. Penalties.

12 (a) Any person who engages or who offers to engage in the
13 practice of architecture without holding a currently valid
14 certificate as required by this act, or any person who violates
15 any of the provisions of this act shall, for a first offense, be
16 guilty of a summary offense and upon conviction thereof shall be
17 sentenced to pay a fine not exceeding \$500 or suffer
18 imprisonment not exceeding 90 days, or both, and for a second or
19 subsequent offense shall be guilty of a felony and upon
20 conviction thereof shall be sentenced to pay a fine of not less
21 than \$2,000 but not more than \$5,000, or to suffer imprisonment
22 of not less than one year, but not more than two years, or both.

23 (b) In addition to any other penalties imposed pursuant to
24 this act, any person who engages in the practice or offers to
25 engage in the practice of architecture without holding a
26 currently valid certificate as required by this act or without
27 complying with the requirements of section 13 shall return any
28 fees collected in connection with the practice or offering to
29 practice architecture.

30 (c) The right of the board to refuse to issue a certificate

1 or to refuse, revoke or suspend a certificate or censure an
2 architect or issue a letter of reprimand or restrict a
3 certificate holder or attach conditions to a certificate under
4 this act shall be in addition to the penalties set forth in this
5 section.

6 Section 21. Complaint procedure and hearings.

7 (a) Any person may prefer charges against a person licensed
8 under the provisions of this act by submitting a written
9 statement of charges, sworn to by the complainant, to the board.
10 In addition, the board may, on its own motion, investigate the
11 conduct of an applicant or a licensee, and shall, in appropriate
12 cases, file a written statement of charges. The applicant or
13 architect charged shall be entitled to be represented by
14 counsel. Hearings shall be conducted in accordance with the
15 provisions for hearings of contested cases as prescribed by the
16 applicable laws and regulations relating to administrative
17 hearings.

18 (b) The hearings may be held by the board or any member
19 thereof, or by any of its duly authorized ~~representatives~~ <—
20 HEARING EXAMINERS or by any other person duly authorized by the <—
21 board for such purpose in any particular case. The time and
22 place of such hearing shall be fixed by the board or its duly
23 authorized ~~representative~~ HEARING EXAMINER. Any member of the <—
24 board or ~~representative~~ HEARING EXAMINER authorized to conduct <—
25 the hearing may administer oaths and conduct investigations.

26 (c) When a matter is referred to a ~~representative of the~~ <—
27 ~~board~~ HEARING EXAMINER for hearing, such person following the <—
28 completion of the testimony in the hearing before him shall,
29 with reasonable dispatch, file a report with the board setting
30 forth his findings of fact and recommendation. Upon review of

1 the record, the board by majority vote, may adopt the findings
2 in the report or may, with or without additional testimony,
3 either return the matter to the representative for such further
4 consideration as the board deems necessary or make additional or
5 other findings of fact on the basis of all the legally probative
6 evidence in the record and enter its conclusions of law and
7 order in accordance with the requirements for the issuance of an
8 adjudication under Title 2 of the Pennsylvania Consolidated
9 Statutes (relating to administrative law).

10 (d) The board may, in its discretion, issue a certificate to
11 any applicant denied licensure under section 19(a) upon
12 presentation of suitable evidence of reform.

13 Section 22. Severability.

14 The provisions of this act are severable and if any section
15 shall be declared invalid or void for any reason, the remainder
16 of the act shall not be affected or impaired.

17 Section 23. Repeals.

18 (a) The following acts and parts of acts are repealed
19 absolutely:

20 Act of July 12, 1919 (P.L.933, No.369), entitled "An act to
21 regulate the practice of architecture in the Commonwealth of
22 Pennsylvania by providing for the examination and registration
23 of architects by a State Board of Examiners; defining the power
24 and duties of said board of examiners; and providing penalties
25 for the violation of this act."

26 Section 422, act of April 9, 1929 (P.L.177, No.175), known as
27 "The Administrative Code of 1929."

28 (b) All acts or parts of acts inconsistent herewith are
29 hereby repealed.

30 Section 24. Effective date.

1 This act shall take effect immediately.