

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1087
Economic Matters

(Delegate Williams, *et al.*)

Business Occupations and Professions - Architects - Scope of Licensure

This bill exempts a person from having to employ a licensed architect for specified alterations or repairs of an existing building located in a municipality if the costs of the alteration or repair do not exceed \$50,000 (instead of \$5,000). Other existing limitations related to the project continue to apply. A conforming change is made to limit the alterations to building permits issued for such projects to less than the new \$50,000 maximum.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: The bill does not materially affect local government finances or operations.

Small Business Effect: Minimal. Some small architectural firms may lose some business due to the enhanced exemption.

Analysis

Current Law: Generally, all architectural documents prepared in connection with the addition, alteration, construction, or design of a building, an integral part of a building, or a group of buildings which are intended for public use or residential use must be signed, sealed, and dated by a licensed architect. However, a person may not be required to employ a licensed architect in connection with the alteration or repair of an existing building or structure *in a municipality* if the alteration or repair:

- does not exceed \$5,000 in estimated costs, including labor and materials;
- is limited to (1) interior alterations or repairs; (2) storefronts or facades; (3) fixtures, cabinetwork or furniture; or (4) exterior stairways, landings, decks, and ramps; and
- does not adversely affect the structural system of the building.

Any work performed under the exception must be in compliance with the Americans with Disabilities Act and the Maryland Building Performance Standards. The exception may only be used once per building or structure in a 12-month period. A related building permit must contain an affidavit signed by the person who has submitted the permit stating that the repair or alteration is in compliance with the above requirements. The permit may not be amended or revised in any way to cause the alteration or repair to exceed \$5,000 in total costs, including labor and materials. Nonconforming permits are invalid.

Notwithstanding the above exception, a code official may still require that architectural documents for alterations or repairs of existing buildings or structures be signed and sealed by a licensed architect if the code official determines that the signature and seal of a licensed architect is necessary to provide conformity with the Maryland Building Performance Standards or to otherwise provide for the health and safety of the public.

Background: The State Board of Architects regulates and licenses architects. Practicing architecture means providing any service or creative work with regard to an addition to, alteration of, or construction of a building or an integral part of a building that requires education, training, and experience in architecture. The practice of architecture includes architectural design and preparation of related documents, consultation, design coordination, evaluation, investigation, and planning. To qualify for a license, an applicant must pass an examination and meet educational and experience criteria.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Department of General Services; Maryland Department of Labor; Public School Construction Program; Maryland Association of Counties; Maryland Municipal League; Department of Legislative Services

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an/mcr

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