

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 294

(Delegate Williams)

Economic Matters

Education, Health, and Environmental Affairs

Business Occupations and Professions - Architects - Scope of Licensure

This bill increases the maximum estimated project cost for which a person is not required to employ a licensed architect, under specified conditions. Depending on the scope of work, the maximum estimated cost is increased from \$5,000 to either \$10,000 or \$25,000. A conforming change is made to limit the alterations to building permits issued for such projects to less than the new maximums. Other existing exemption requirements, such as the building or structure being located in a municipality, continue to apply.

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.

Additional Information

Prior Introductions: HB 1087 of 2020, a similar bill, received a hearing from the House Economic Matters Committee, but no further action was taken.

Designated Cross File: SB 93 (Senator Griffith) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - January 14, 2021
rh/mcr Third Reader - February 16, 2021

Analysis by: Stephen M. Ross

Direct Inquiries to:
(410) 946-5510
(301) 970-5510