

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 809**  
**97TH GENERAL ASSEMBLY**

4517H.08C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 327.622, 327.623, 327.629, 327.630, 327.631, and 327.635, RSMo, and to enact in lieu thereof fifty new sections relating to licensure by the board for architects, professional engineers, professional land surveyors and professional landscape architects, with an existing penalty provision.

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

Section A. Sections 327.011, 327.031, 327.041, 327.051, 327.076, 327.081, 327.091, 2 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 327.172, 327.181, 327.191, 3 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 327.312, 327.313, 327.314, 4 327.321, 327.331, 327.341, 327.351, 327.381, 327.391, 327.392, 327.401, 327.411, 327.442, 5 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 327.619, 327.621, 6 327.622, 327.623, 327.629, 327.630, 327.631, and 327.635, RSMo, are repealed and fifty new 7 sections enacted in lieu thereof, to be known as sections 327.011, 327.031, 327.041, 327.051, 8 327.076, 327.081, 327.091, 327.101, 327.106, 327.131, 327.141, 327.151, 327.161, 327.171, 9 327.172, 327.181, 327.191, 327.221, 327.231, 327.241, 327.251, 327.261, 327.271, 327.272, 10 327.312, 327.313, 327.314, 327.321, 327.331, 327.341, 327.351, 327.381, 327.392, 327.401, 11 327.411, 327.442, 327.451, 327.461, 327.600, 327.603, 327.607, 327.612, 327.615, 327.617, 12 327.619, 327.621, 327.622, 327.629, 327.630, and 327.635, to read as follows:

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.

327.011. As used in this chapter, the following words and terms shall have the meanings indicated:

(1) "Accredited degree program from a school of architecture", a degree from any school or other institution which teaches architecture and whose curricula for the degree in question have been, at the time in question, certified as accredited by the National Architectural Accrediting Board;

(2) "Accredited school of engineering", any school or other institution which teaches engineering and whose curricula on the subjects in question are or have been, at the time in question certified as accredited by the engineering accreditation commission of the accreditation board for engineering and technology or its successor organization;

(3) "Accredited school of landscape architecture", any school or other institution which teaches landscape architecture and whose curricula on the subjects in question are or have been at the times in question certified as accredited by the Landscape Architecture Accreditation Board of the American Society of Landscape Architects;

(4) "Architect", any person authorized pursuant to the provisions of this chapter to practice architecture in Missouri, as the practice of architecture is defined in section 327.091;

(5) "Board", the Missouri board for architects, professional engineers, professional land surveyors and **professional** landscape architects;

(6) "Corporation", any general business corporation, professional corporation or limited liability company;

(7) ["Landscape architect", any person licensed pursuant to the provisions of sections 327.600 to 327.635 who is qualified to practice landscape architecture by reason of special knowledge and the use of biological, physical, mathematical and social sciences and the principles and methods of analysis and design of the land, has demonstrated knowledge and ability in such areas, and has been duly licensed as a landscape architect by the board on the basis of professional education, examination and experience in landscape architecture] "**Design coordination**", the review and coordination of technical submissions prepared by others including, as appropriate and without limitation, architects, professional engineers, professional land surveyors, professional landscape architects, and other consultants;

(8) "**Design survey**", a survey which includes all activities required to gather information to support the sound conception, planning, design, construction, maintenance, and operation of design projects, but exclude the surveying of real property for the establishment of land boundaries, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system;

(9) "**Incidental practice**", the performance of other professional services licensed under chapter 327 that are related to a licensee's professional service, but are secondary

37 **and substantially less in scope and magnitude when compared to the professional services**  
38 **usually and normally performed by the licensee practicing in their licensed profession.**  
39 **This incidental professional service shall be safely and competently performed by the**  
40 **licensee without jeopardizing the health, safety, and welfare of the public. The licensee**  
41 **shall be qualified by education, training, and experience as determined by the board and**  
42 **in sections 327.091, 327.181, 327.272, and 327.600 and applicable board rules to perform**  
43 **such incidental professional service;**

44 [(8)] **(10)** "Licensee", a person licensed to practice any profession regulated under this  
45 chapter or a corporation authorized to practice any such profession;

46 [(9)] **(11)** "Partnership", any partnership or limited liability partnership;

47 [(10)] **(12)** "Person", any person, corporation, firm, partnership, association or other  
48 entity;

49 [(11)] **(13)** "Professional engineer", any person authorized pursuant to the provisions  
50 of this chapter to practice as a professional engineer in Missouri, as the practice of engineering  
51 is defined in section 327.181;

52 [(12)] **(14)** "Professional land surveyor", any person authorized pursuant to the  
53 provisions of this chapter to practice as a professional land surveyor in Missouri as the practice  
54 of land surveying is defined in section 327.272;

55 **(15) "Professional landscape architect", any person authorized pursuant to the**  
56 **provisions of this chapter to practice as a professional landscape architect in Missouri as**  
57 **the practice of landscape architecture is defined in section 327.600;**

58 **(16) "Responsible charge", the independent direct control of a licensee's work and**  
59 **personal supervision of such work pertaining to the practice of architecture, engineering,**  
60 **land surveying, or landscape architecture.**

327.031. 1. The "Missouri Board for Architects, Professional Engineers, Professional  
2 Land Surveyors and **Professional** Landscape Architects" is hereby established and shall consist  
3 of fifteen members: a chairperson, who may be either an architect, a professional engineer, a  
4 professional land surveyor, or a **professional** landscape architect; three architects, who shall  
5 constitute the architectural division of the board; four professional engineers, who shall  
6 constitute its professional engineering division; three professional land surveyors, who shall  
7 constitute its professional land surveying division; three **professional** landscape architects, who  
8 shall constitute its **professional** landscape architectural division; and a voting public member.

9 2. After receiving his or her commission and before entering upon the discharge of his  
10 or her official duties, each member of the board shall take, subscribe to and file in the office of  
11 the secretary of state the official oath required by the constitution.

12           3. The chairperson shall be the administrative and executive officer of the board, and it  
13 shall be his or her duty to supervise and expedite the work of the board and its divisions, and,  
14 at his or her election, when a tie exists between the divisions of the board, to break the tie by  
15 recording his or her vote for or against the action upon which the divisions are in disagreement.  
16 Each member of the architectural division shall have one vote when voting on an action pending  
17 before the board; each member of the professional engineering division shall have one vote when  
18 voting on an action pending before the board; each member of the professional land surveying  
19 division shall have one vote when voting on an action pending before the board; and each  
20 member of the **professional** landscape architectural division shall have one vote when voting  
21 on an action pending before the board. Every motion or proposed action upon which the  
22 divisions of the board are tied shall be deemed lost, and the chairperson shall so declare, unless  
23 the chairperson shall elect to break the tie as provided in this section. Eight voting members of  
24 the board, including at least one member of each division, shall constitute a quorum,  
25 respectively, for the transaction of board business.

26           4. Each division of the board shall, at its first meeting in each even-numbered year, elect  
27 one of its members as division chairperson for a term of two years. Two voting members of each  
28 division of the board shall constitute a quorum for the transaction of division business. The  
29 chairpersons of the architectural division, professional engineering division, professional land  
30 surveying division, and **professional** landscape architectural division so elected shall be vice  
31 chairpersons of the board, and when the chairperson of the board is an architect, the chairperson  
32 of the architectural division shall be the ranking vice chairperson, and when the chairperson of  
33 the board is a professional engineer, the chairperson of the professional engineering division  
34 shall be the ranking vice chairperson, when the chairperson of the board is a professional land  
35 surveyor, the chairperson of the professional land surveying division shall be the ranking vice  
36 chairperson, and when the chairperson of the board is a **professional** landscape architect, the  
37 chairperson of the **professional** landscape architectural division shall be the ranking vice  
38 chairperson. The chairperson of each division shall be the administrative and executive officer  
39 of his or her division, and it shall be his or her duty to supervise and expedite the work of the  
40 division, and, in case of a tie vote on any matter, the chairperson shall, at his or her election,  
41 break the tie by his or her vote. Every motion or question pending before the division upon  
42 which a tie exists shall be deemed lost, and so declared by the chairperson of the division, unless  
43 the chairperson shall elect to break such tie by his or her vote.

44           5. Any person appointed to the board, except a public member, shall be a currently  
45 licensed architect, licensed professional engineer, licensed professional land surveyor [or  
46 registered] or licensed **professional** landscape architect in Missouri, as the vacancy on the board  
47 may require, who has been a resident of Missouri for at least five years, who has been engaged

48 in active practice as an architect, professional engineer, professional land surveyor or  
49 **professional** landscape architect, as the case may be, for at least ten consecutive years as a  
50 **Missouri licensee** immediately preceding such person's appointment, and who is and has been  
51 a citizen of the United States for at least five years immediately preceding such person's  
52 appointment. Active service as a faculty member while holding the rank of assistant professor  
53 or higher in an accredited school of engineering shall be regarded as active practice of  
54 engineering, for the purposes of this chapter. Active service as a faculty member, after meeting  
55 the qualifications required by section 327.314, while holding the rank of assistant professor or  
56 higher in an accredited school of engineering and teaching land surveying courses shall be  
57 regarded as active practice of land surveying for the purposes of this chapter. Active service as  
58 a faculty member while holding the rank of assistant professor or higher in an accredited school  
59 of landscape architecture shall be regarded as active practice of landscape architecture, for the  
60 purposes of this chapter. Active service as a faculty member while holding the rank of assistant  
61 professor or higher in an accredited school of architecture shall be regarded as active practice of  
62 architecture for the purposes of this chapter; provided, however, that no faculty member of an  
63 accredited school of architecture shall be eligible for appointment to the board unless such  
64 person has had at least three years' experience in the active practice of architecture other than in  
65 teaching. The public member shall be, at the time of appointment, a citizen of the United States;  
66 a resident of this state for a period of one year and a registered voter; a person who is not and  
67 never was a member of any profession licensed or regulated pursuant to this chapter or the  
68 spouse of such person; and a person who does not have and never has had a material, financial  
69 interest in either the providing of the professional services regulated by this chapter, or an  
70 activity or organization directly related to any profession licensed or regulated pursuant to this  
71 chapter. All members, including public members, shall be chosen from lists submitted by the  
72 director of the division of professional registration. The duties of the public member shall not  
73 include the determination of the technical requirements to be met for licensure or whether any  
74 person meets such technical requirements or of the technical competence or technical judgment  
75 of a licensee or a candidate for licensure.

76         6. The governor shall appoint the chairperson and the other members of the board when  
77 a vacancy occurs either by the expiration of a term or otherwise, and each board member shall  
78 serve until such member's successor is appointed and has qualified. [Beginning August 28,  
79 2010,] The position of chairperson shall rotate sequentially with an architect, then professional  
80 engineer, then professional land surveyor, then **professional** landscape architect, and shall be a  
81 licensee who has previously served as a member of the board. The appointment of the  
82 chairperson shall be for a term of four years which shall be deemed to have begun on the date  
83 of his or her appointment and shall end upon the appointment of the chairperson's successor.

84 The chairperson shall not serve more than one term. All other appointments, except to fill an  
85 unexpired term, shall be for terms of four years; but no person shall serve on the board for more  
86 than two consecutive four-year terms, and each four-year term shall be deemed to have begun  
87 on the date of the expiration of the term of the board member who is being replaced or  
88 reappointed, as the case may be. Any appointment to the board which is made when the senate  
89 is not in session shall be submitted to the senate for its advice and consent at its next session  
90 following the date of the appointment.

91 7. In the event that a vacancy is to occur on the board because of the expiration of a term,  
92 then ninety days prior to the expiration, or as soon as feasible after a vacancy otherwise occurs,  
93 **the president of the American Institute of Architects/Missouri if the vacancy to be filled**  
94 **requires the appointment of an architect**, the president of the Missouri Society of Professional  
95 Engineers if the vacancy to be filled requires the appointment of [an] **a professional** engineer,  
96 the president of the Missouri Society of Professional Surveyors if the vacancy to be filled  
97 requires the appointment of a **professional** land surveyor, and the president of the Missouri  
98 Association of Landscape Architects if the vacancy to be filled requires the appointment of a  
99 **professional** landscape architect, shall submit to the director of the division of professional  
100 registration a list of five architects or five professional engineers, or five professional land  
101 surveyors, or five **professional** landscape architects as the case may require, qualified and  
102 willing to fill the vacancy in question, with the recommendation that the governor appoint one  
103 of the five persons so listed; and with the list of names so submitted, the president of the  
104 appropriate organization shall include in a letter of transmittal a description of the method by  
105 which the names were chosen. This subsection shall not apply to public member vacancies.

106 8. The board may sue and be sued as the Missouri board for architects, professional  
107 engineers, professional land surveyors and **professional** landscape architects, and its members  
108 need not be named as parties. Members of the board shall not be personally liable either jointly  
109 or severally for any act or acts committed in the performance of their official duties as board  
110 members, nor shall any board member be personally liable for any court costs which accrue in  
111 any action by or against the board.

112 [9. Upon appointment by the governor and confirmation by the senate of the landscape  
113 architectural division, the landscape architectural council is hereby abolished and all of its  
114 powers, duties and responsibilities are transferred to and imposed upon the Missouri board for  
115 architects, professional engineers, professional land surveyors and landscape architects  
116 established pursuant to this section. Every act performed by or under the authority of the  
117 Missouri board for architects, professional engineers, professional land surveyors and landscape  
118 architects shall be deemed to have the same force and effect as if performed by the landscape  
119 architectural council pursuant to sections 327.600 to 327.635. All rules and regulations of the

120 landscape architectural council shall continue in effect and shall be deemed to be duly adopted  
121 rules and regulations of the Missouri board for architects, professional engineers, professional  
122 land surveyors and landscape architects until such rules and regulations are revised, amended or  
123 repealed by the board as provided by law, such action to be taken by the board on or before  
124 January 1, 2002.

125 10. Upon appointment by the governor and confirmation by the senate of the landscape  
126 architectural division, all moneys deposited in the landscape architectural council fund created  
127 in section 327.625 shall be transferred to the state board for architects, professional engineers,  
128 professional land surveyors and landscape architects fund created in section 327.081. The  
129 landscape architectural council fund shall be abolished upon the transfer of all moneys in it to  
130 the state board for architects, professional engineers, professional land surveyors and landscape  
131 architects.]

327.041. 1. The board shall have the duty and the power to carry out the purposes and  
2 to enforce and administer the provisions of this chapter, to require, by summons or subpoena,  
3 with the vote of two-thirds of the voting board members, the attendance and testimony of  
4 witnesses, and the production of drawings, plans, plats, specifications, books, papers or any  
5 document representing any matter under hearing or investigation, pertaining to the issuance,  
6 probation, suspension or revocation of certificates of registration or certificates of authority  
7 provided for in this chapter, or pertaining to the unlawful practice of architecture, professional  
8 engineering, professional land surveying or **professional** landscape architecture.

9 2. The board shall, within the scope and purview of the provisions of this chapter,  
10 prescribe the duties of its officers and employees and adopt, publish and enforce the rules and  
11 regulations of professional conduct which shall establish and maintain appropriate standards of  
12 competence and integrity in the professions of architecture, professional engineering,  
13 professional land surveying and **professional** landscape architecture, and adopt, publish and  
14 enforce procedural rules and regulations as may be considered by the board to be necessary or  
15 proper for the conduct of the board's business and the management of its affairs, and for the  
16 effective administration and interpretation of the provisions of this chapter. Any rule or portion  
17 of a rule, as that term is defined in section 536.010, that is created under the authority delegated  
18 in this chapter shall become effective only if it complies with and is subject to all of the  
19 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
20 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536  
21 to review, to delay the effective date or to disapprove and annul a rule are subsequently held  
22 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
23 August 28, 2001, shall be invalid and void.

24           3. Rules promulgated by the board pursuant to sections 327.272 to 327.635 shall be  
25 consistent with and shall not supersede the rules promulgated by the department of natural  
26 resources pursuant to chapter 60.

          327.051. 1. The board shall meet at least twice a year at such times and places as are  
2 fixed by the board.

3           2. The board may appoint and employ legal counsel and such board personnel, as defined  
4 in subdivision (4) of subsection 10 of section 324.001, as it deems necessary within the  
5 appropriation therefor.

6           3. The board shall keep records of its official acts and decisions and certified copies of  
7 any such records attested by the executive director with the board's seal affixed shall be received  
8 as evidence in all courts to the same extent as the board's original records would be received.

9           4. Each member of the board shall receive as compensation an amount set by the board  
10 not to exceed [fifty] **seventy-five** dollars for each day devoted to the affairs of the board, and  
11 shall be entitled to reimbursement of such member's expenses necessarily incurred in the  
12 discharge of such member's official duties.

          327.076. 1. Any person who practices architecture, engineering, land surveying, or  
2 landscape architecture, as defined in sections 327.011 to 327.635, or who holds himself or  
3 herself out as able to practice such profession and who is not the holder of a currently valid  
4 license or certificate of authority in Missouri, and who is not exempt from holding such a license  
5 or certificate, is guilty of a class A misdemeanor. As used in this [section] **chapter**, "practice"  
6 shall not include the rendering of opinions or giving of testimony in a civil or criminal  
7 proceeding by a licensed professional.

8           2. The board may cause a complaint to be filed with the administrative hearing  
9 commission, as provided in chapter 621, against any unlicensed person who:

10           (1) Engages in or offers to render or engage in the practice of architecture, professional  
11 engineering, **professional** land surveying, or **professional** landscape architecture;

12           (2) Uses or employs titles defined and protected by this chapter, or implies authorization  
13 to provide or offer professional services, or otherwise uses or advertises any title, word, figure,  
14 sign, card, advertisement, or other symbol or description tending to convey the impression that  
15 the person is licensed or holds a certificate of authority to practice architecture, professional  
16 engineering, **professional** land surveying, or **professional** landscape architecture;

17           (3) Presents or attempts to use another person's license, seal, or certificate of authority  
18 as his or her own;

19           (4) Attempts to use an expired, suspended, revoked, or nonexistent license or certificate  
20 of authority;



21 (5) Affixes his or her or another architect's, **professional** engineer's, **professional** land  
22 surveyor's, or **professional** landscape architect's seal on any plans, drawings, specifications or  
23 reports which have not been prepared by such person or under such person's immediate personal  
24 supervision care;

25 (6) Gives false or forged evidence of any kind to the board or any member of the board  
26 in obtaining or attempting to obtain a certificate of licensure in this state or any other state or  
27 jurisdiction;

28 (7) Knowingly aids or abets an unlicensed or unauthorized person who engages in any  
29 prohibited activity identified in this subsection;

30 (8) Violates any provision of the code of professional conduct or other rule adopted by  
31 the board; or

32 (9) Violates any provision of subsection 2 of section 327.441.

33 3. When reviewing complaints against unlicensed persons, the board may initiate an  
34 investigation and take all measures necessary to find the facts of any potential violation,  
35 including issuing subpoenas to compel the attendance and testimony of witnesses and the  
36 disclosure of evidence, and may request the attorney general to bring an action to enforce the  
37 subpoena.

38 4. If the board files a complaint with the administrative hearing commission, the  
39 proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding  
40 by the administrative hearing commission that the grounds provided in subsection 2 of this  
41 section for disciplinary action are met, the board may, either singularly or in combination with  
42 other provisions of this chapter, impose a civil penalty as provided for in section 327.077 against  
43 the person named in the complaint.

327.081. 1. All funds received pursuant to the provisions of this chapter shall be  
2 deposited in the state treasury to the credit of the "State Board for Architects, Professional  
3 Engineers, **Professional** Land Surveyors and **Professional** Landscape Architects Fund" which  
4 is hereby established. All expenditures authorized by this chapter shall be paid from funds  
5 appropriated to the board by the general assembly from this fund.

6 2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund  
7 shall not be transferred and placed to the credit of general revenue until the amount in the fund  
8 at the end of the biennium exceeds two times the amount of the appropriation from the board's  
9 funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently  
10 than yearly, then three times the appropriation from the board's funds for the preceding fiscal  
11 year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds  
12 the appropriate multiple of the appropriations from the board's funds for the preceding fiscal  
13 year.

327.091. 1. Any person practices as an architect in Missouri who renders or offers to  
2 render or represents himself or herself as willing or able to render service or creative work which  
3 requires architectural education, training and experience, including services and work such as  
4 consultation, evaluation, planning, aesthetic and structural design, the preparation of drawings,  
5 specifications and related documents, and the coordination of services furnished by structural,  
6 civil, mechanical and electrical engineers and other consultants as they relate to architectural  
7 work in connection with the construction or erection of any private or public building, building  
8 structure, building project or integral part or parts of buildings or of any additions or alterations  
9 thereto; or who uses the title "architect" or the terms "architect" or "architecture" or  
10 "architectural" alone or together with any words other than "landscape" that indicate or imply that  
11 such person is or holds himself or herself out to be an architect.

12 **2. Architects shall be in responsible charge of all architectural design of buildings**  
13 **and structures that can affect the health, safety, and welfare of the public within their**  
14 **scope of practice.**

327.101. No person shall practice architecture in Missouri as defined in section 327.091  
2 unless and until there is issued to the person a license or a certificate of authority certifying that  
3 the person has been duly licensed as an architect or authorized to practice architecture, in  
4 Missouri, and unless such license has been renewed as hereinafter specified; provided, however,  
5 that nothing in this chapter shall apply to the following persons:

6 (1) Any person who is an employee of a person holding a currently valid license as an  
7 architect or who is an employee of any person holding a currently valid certificate of authority  
8 pursuant to this chapter, and who performs architectural work under the direction and continuing  
9 supervision of and is checked by one holding a currently valid license as an architect pursuant  
10 to this chapter;

11 (2) Any person who is a regular full-time employee who performs architectural work for  
12 the person's employer if and only if all such work and service so performed is in connection with  
13 a facility owned or wholly operated by the employer and which is occupied by the employer of  
14 the employee performing such work or service, and if and only if such work and service so  
15 performed do not endanger the public health or safety;

16 (3) Any holder of a currently valid license **or certificate of authority** as a professional  
17 engineer who performs only such [architectural work] **architecture** as [is] incidental **practice**  
18 and necessary to the completion of [engineering work] **professional services** lawfully being  
19 performed by such licensed professional engineer;

20 (4) Any person who is a **professional** landscape architect, city planner or regional  
21 planner who performs work consisting only of consultations concerning and preparation of  
22 master plans for parks, land areas or communities, or the preparation of plans for and the

23 supervision of the planting and grading or the construction of walks and paving for parks or land  
24 areas and such other minor structural features as fences, steps, walls, small decorative pools and  
25 other construction not involving structural design or stability and which is usually and  
26 customarily included within the area of work of a **professional** landscape architect or planner;

27 (5) Any person who renders architectural services in connection with the construction,  
28 remodeling or repairing of any privately owned building described in paragraphs (a), (b), (c), (d),  
29 and (e) which follow, and who indicates on any drawings, specifications, estimates, reports or  
30 other documents furnished in connection with such services that the person is not a licensed  
31 architect:

32 (a) A dwelling house; or

33 (b) A multiple family dwelling house, flat or apartment containing not more than two  
34 families; or

35 (c) A commercial or industrial building or structure which provides for the employment,  
36 assembly, housing, sleeping or eating of not more than nine persons; or

37 (d) Any one structure containing less than [twenty] **two** thousand [cubic] **square** feet,  
38 except as provided in (b) and (c) above, and which is not a part or a portion of a project which  
39 contains more than one structure; or

40 (e) A building or structure used exclusively for farm purposes;

41 (6) Any person who renders architectural services in connection with the remodeling or  
42 repairing of any privately owned [building described in paragraphs (a), (c), (d) and (e) of  
43 subdivision (5) of this section or for a] multiple family dwelling house, flat or apartment  
44 containing [not more than] **three or** four families, **provided that the alteration, renovation,**  
45 **or remodeling does not affect architectural or engineering safety features of the building**  
46 and who indicates on any drawings, specifications, estimates, reports or other documents  
47 furnished in connection with such services that the person is not a licensed architect;

48 (7) Any person or corporation who is offering, but not performing or rendering,  
49 architectural services if the person or corporation is licensed to practice architecture in the state  
50 or country of residence or principal place of business.

327.106. Notwithstanding any provisions of this chapter to the contrary, any applicant  
2 for a license to practice architecture who holds a valid license to practice architecture in Canada  
3 shall be licensed to practice architecture in this state, if such applicant holds certification  
4 pursuant to the terms of the [Inter-Recognition] **Mutual Recognition** Agreement between the  
5 National Council of Architectural Registration Boards (NCARB) and the Canadian Architectural  
6 [Councils] **Licensing Authorities** and provided the applicant meets all other qualifications for  
7 licensure as an architect as provided in this chapter.

327.131. [1.] Any person may apply to the board for [examination and license] **licensure** as an architect who is over the age of twenty-one, is of good moral character, [and is a graduate of and holds] **has acquired** an accredited degree from an accredited degree program from a school of architecture [and has acquired at least three years of satisfactory architectural experience] , **holds a certified Intern Development Program (IDP) record with the National Council of Architectural Registration Boards, and has taken and passed all divisions of the Architect Registration Examination.** [Prior to January 1, 2012, any applicant who possesses the age and character qualifications as provided in this subsection and who has acquired a combined total of twelve years of education, above the high school level, and satisfactory architectural experience may apply to the board for examination and licensure as an architect. Beginning January 1, 2012, all new applicants shall hold an accredited degree from an accredited degree program from a school of architecture.

2. The board shall provide by rule what shall constitute satisfactory architectural experience, based upon recognized education and training equivalents.

3. Beginning January 1, 2002, each applicant who has graduated with an accredited degree from an accredited degree program from a school of architecture shall complete the intern development program (IDP) as defined in the IDP Guidelines: Intern Development Program, 1994, as published by the National Council of Architectural Registration Boards, as amended. Completion of the intern development program shall be deemed to be satisfactory architectural experience.]

327.141. Applications for [examination and license] **licensure** as an architect shall be typewritten on prescribed forms furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of previous architectural licensing examinations, if any, and such other pertinent information as the board may require. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the application, subject to the penalties of making a false affidavit or declaration and shall be accompanied by the required fee.

327.151. 1. After [the board] **it has been** determined [upon such inquiry and by such methods as it may consider proper] that [such] **an** applicant possesses the qualifications entitling [such] **the** applicant to be examined, each applicant for examination and [license] **licensure** as an architect shall appear before the board or its representatives for examination at the time and place specified [by the board in a written notice to each such applicant, provided that an examination shall be given at least once in each calendar year].

7           2. The [written] examination or examinations shall be of such form, content and duration  
8 as determined by the architectural division of the board to thoroughly test the qualifications of  
9 each applicant to practice architecture in Missouri.

10           3. An applicant to be eligible for [license] **licensure** shall make a passing grade on each  
11 examination. The "passing grade" shall be fixed by the board but it shall never be higher than  
12 the current "passing grade" determined by the National Council of Architectural Registration  
13 Boards.

14           4. Any person who passes the examination or examinations prescribed by the board shall  
15 be entitled to be licensed as an architect in Missouri, subject to the other provisions of this  
16 chapter.

327.161. If an applicant fails to make the grade specified in section 327.151, the  
2 applicant may apply for reexamination, by [section, on a form furnished to the applicant. If the  
3 application is approved, the applicant may take another examination, no sooner than six months  
4 after the date of the failed examination] **division, in accordance with the guidelines**  
5 **established by the National Council of Architectural Registration Boards or its successor.**

327.171. 1. The professional license, issued to every architect in Missouri, including  
2 certificates of authority issued to corporations as provided in section 327.401, shall be renewed  
3 on or before the certificate renewal date, provided that the required fee is paid. The board may  
4 establish, by rule, continuing education requirements as a condition to renewing the license of  
5 an architect, provided that the board shall not require more professional development hours than  
6 that which is recommended by the American Institute of Architects or its successor organization,  
7 but not to exceed thirty such hours. The license of any architect or the certificate of authority  
8 issued to any corporation which is not renewed [within three months of] **by** the certificate  
9 renewal date shall [be suspended automatically, subject to the right of the holder of such  
10 suspended certificate to have the certificate reinstated within nine months of the date of  
11 suspension, if the reinstatement fee is paid. Any license or certificate of authority suspended and  
12 not reinstated within nine months of the suspension date, as provided in this section, shall] expire  
13 **on the renewal date** and be void and the holder of such expired certificate shall have no rights  
14 or privileges under such license or certificate; but any person or corporation whose certificate  
15 has expired as provided in this section may within **three months of the certificate renewal date**  
16 **or at** the discretion of the board, upon payment of the required fee, be **renewed**, relicensed, or  
17 reauthorized under such person's or such corporation's original license number.

18           2. Each application for the renewal of a license or of a certificate of authority shall be  
19 on a form furnished to the applicant and shall be accompanied by the required fee, but no  
20 renewal fee need be paid by any architect over the age of seventy-five.

327.172. 1. An architect licensed in this state may apply to the board for inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the licensee meets the requirements established by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive shall not offer or practice architecture within this state, but may continue to use the title "architect".

2. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of such intention, by paying appropriate fees as determined by the board, and by meeting all established requirements of the board including the demonstration of current knowledge, competency, and skill in the practice of architecture as a condition of [reinstatement] **reactivation**.

3. In the event an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting [reinstatement] **reactivation**, that person may be required to take an examination as the board deems necessary to determine such person's qualifications. Such examination shall cover areas designed to demonstrate the proficiency in current methods of architecture.

327.181. 1. Any person practices in Missouri as a professional engineer who renders or offers to render or holds himself or herself out as willing or able to render any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems, [engineering] teaching of advanced engineering subjects or courses related thereto, [engineering] **design surveys and studies**, the **design** coordination of services furnished by [structural, civil, mechanical and electrical] engineers and other consultants as they relate to engineering work, **construction observation** and the inspection of construction for the purpose of compliance with drawings and specifications, any of which embraces such service or work either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems or projects and including such architectural work as is incidental to the practice of engineering; or who uses the title "professional engineer" or "consulting engineer" or the word "engineer" alone or preceded by any word indicating or implying that such person is or holds himself or herself out to be a professional engineer, or who shall use any word or words, letters, figures, degrees, titles or other description indicating or implying that such person is a professional engineer or is willing or able to practice engineering.

19           2. **Professional engineers shall be in responsible charge of all engineering design of**  
20 **buildings, structures, products, machines, processes, and systems that can affect the health,**  
21 **safety, and welfare of the public within their scope of practice.**

22           3. Notwithstanding any provision of subsection 1 of this section, any person using the  
23 word "engineer", "engineers", or "engineering", alone or preceded by any word, or in  
24 combination with any words, may do so without being subject to disciplinary action by the board  
25 so long as such use is reflective of that person's profession or vocation and is clearly not  
26 indicating or implying that such person is holding himself or herself out as being a professional  
27 engineer or is willing or able to practice engineering as defined in this section.

          327.191. No person shall practice as a professional engineer in Missouri, as defined in  
2 section 327.181 unless and until there is issued to such person a professional license or a  
3 certificate of authority certifying that such person has been duly licensed as a professional  
4 engineer or authorized to practice engineering in Missouri, and unless such license or certificate  
5 has been renewed as provided in section 327.261; provided that section 327.181 shall not be  
6 construed to prevent the practice of engineering by the following persons:

7           (1) Any person who is an employee of a person holding a currently valid license as a  
8 professional engineer or who is an employee of a person holding a currently valid certificate of  
9 authority pursuant to this chapter, and who performs professional engineering work under the  
10 direction and continuing supervision of and is checked by one holding a currently valid license  
11 as a professional engineer pursuant to this chapter;

12           (2) Any person who is a regular full-time employee of a person or any former employee  
13 under contract to a person, who performs professional engineering work for such employer if and  
14 only if all such work and service so performed is done solely in connection with a facility owned  
15 or wholly operated by the employer and occupied or maintained by the employer of the employee  
16 performing such work or service, **and does not affect the health, safety, and welfare of the**  
17 **public;**

18           (3) Any person engaged in engineering who is a full-time, regular employee of a person  
19 engaged in manufacturing operations and which engineering so performed by such person relates  
20 to the manufacture, sale or installation of the products of such person, **and does not affect the**  
21 **health, safety, and welfare of the public;**

22           (4) Any holder of a currently valid license or certificate of authority as an architect,  
23 **professional land surveyor, or professional landscape architect** who performs only such  
24 engineering [work] as [is] incidental **practice** and necessary to the completion of [architectural  
25 work] **professional services** lawfully being performed by such architect, **professional land**  
26 **surveyor, or professional landscape architect;**

27 (5) Any person or corporation who is offering, but not performing or rendering,  
28 professional engineering services if the person or corporation is licensed to practice professional  
29 engineering in the state or country of residence or principal place of business.

327.221. Any person may apply to the board for [examination and license] **licensure** as  
2 a professional engineer who is over the age of twenty-one, who is of good moral character, and  
3 who is a graduate of and holds a degree in engineering from an accredited school of engineering,  
4 or who possesses an education which includes at the minimum a baccalaureate degree in  
5 engineering, and which in the opinion of the board, equals or exceeds the education received by  
6 a graduate of an accredited school, and has acquired at least four years of satisfactory engineering  
7 experience, after such person has graduated and has received a degree or education as provided  
8 in this section; provided that the board shall by rule provide what shall constitute satisfactory  
9 engineering experience based upon recognized education and training equivalents, but in any  
10 event such rule shall provide that no more than one year of satisfactory postgraduate work in  
11 engineering subjects and that each year of satisfactory teaching of engineering subjects  
12 accomplished after a person has graduated from and has received a degree from an accredited  
13 school of engineering or after receiving an education as provided in this section shall count as  
14 equivalent years of satisfactory engineering experience.

327.231. Applications for [examination and license] **licensure** as a professional engineer  
2 shall be typewritten on prescribed forms furnished to the applicant. The application shall contain  
3 the applicant's statements showing the applicant's education, experience, results of previous  
4 engineering examinations, if any, and such other pertinent information as the board may require.  
5 Each application shall contain a statement that it is made under oath or affirmation and that its  
6 representations are true and correct to the best knowledge and belief of the person signing such  
7 application, subject to the penalties of making a false affidavit or declaration and shall be  
8 accompanied by the required fee.

327.241. 1. After [the board] **it has been** determined [upon such inquiry and by such  
2 methods as it may consider proper] that an applicant possesses the qualifications entitling [such]  
3 **the** applicant to be examined, each applicant for examination and licensure as a professional  
4 engineer in Missouri shall appear before the board or its representatives for examination at the  
5 time and place specified [by the board in a written notice to each such applicant, provided that  
6 an examination shall be given at least once in each calendar year].

7 2. The [written] examination or examinations shall be of such form, content and duration  
8 as shall be determined by the board, to thoroughly test the qualifications of each applicant to  
9 practice as a professional engineer in Missouri.

10 3. Any applicant to be eligible for a license must make a grade on each examination of  
11 at least seventy percent.



12           4. The engineering examination shall consist of two parts; the first part may be taken by  
13 any person after such person has satisfied the educational requirements of section 327.221, or  
14 who is in his or her final year of study in an accredited school of engineering; and upon passing  
15 part one of the examination and providing proof that such person has satisfied the educational  
16 requirements of section 327.221 and upon payment of the required fee, such person shall be an  
17 engineer-intern, subject to the other provisions of this chapter.

18           5. Any engineer-intern, as defined in subsection 4 of this section, who has acquired at  
19 least four years of satisfactory engineering experience, may take part two of the engineering  
20 examination and upon passing it shall be entitled to receive a license, subject, however, to the  
21 other provisions of this chapter.

22           6. Notwithstanding the provisions of subsections 4 and 5 of this section, the board may,  
23 in its discretion, provide by rule that any person who has graduated from and holds an  
24 engineering degree from an accredited school of engineering may thereupon be eligible to take  
25 both parts of the engineering examination and that upon passing said examination and acquiring  
26 four years of satisfactory engineering experience, after graduating and receiving a degree as  
27 aforesaid, shall be entitled to receive a license to practice as a professional engineer, subject,  
28 however, to the other provisions of this chapter.

29           7. Any person who has graduated from and has received a degree in engineering from  
30 an accredited school of engineering may then acquire four years of satisfactory engineering  
31 experience and thereafter take both parts of the examination and upon passing shall be entitled  
32 to receive a license to practice as a professional engineer, subject, however, to the other  
33 provisions of this chapter.

34           8. Any person entitled to be licensed as a professional engineer as provided in subsection  
35 5, 6, or 7 of this section must be so licensed within four years after the date on which he or she  
36 was so entitled, and if one is not licensed within the time he or she is so entitled, the engineering  
37 division of the board may require him to take and satisfactorily pass such further examination  
38 as provided by rule before issuing to him a license.

327.251. If an applicant fails to make the grade specified in section 327.241, such  
2 applicant may apply for reexamination [on a form to be furnished by the board, and if the  
3 application is approved, the applicant may take another examination or examinations at any  
4 regularly scheduled examination upon payment of the required fee] **in accordance with the**  
5 **guidelines established by the National Council of Examiners for Engineering and**  
6 **Surveying or its successor.**

327.261. 1. The professional license issued to every professional engineer in Missouri,  
2 including certificates of authority issued to corporations as hereinafter provided, shall be renewed  
3 on or before the license renewal date, provided that the required fee is paid. The board may

4 establish, by rule, continuing education requirements as a condition to renewing the license of  
5 a professional engineer, provided that the board shall not require more professional development  
6 hours than that which is recommended by the National Council of Examiners for Engineering  
7 and Surveying or its successor organization, but not to exceed thirty such hours. The license of  
8 any professional engineer or the certificate of authority of any such corporation which is not  
9 renewed [within three months of] **by** the certificate renewal date shall [be suspended  
10 automatically, subject to the right of the holder of such suspended certificate to have the  
11 certificate reinstated within nine months of the date of suspension if the reinstatement fee is paid.  
12 Any license or certificate of authority suspended and not reinstated within nine months of the  
13 suspension date, as above provided, shall] expire **on the renewal date** and be void and the  
14 holder of the expired license or certificate shall have no rights or privileges under such license  
15 or certificate; but any person or corporation whose license or certificate has expired as aforesaid  
16 may within **three months of the certificate renewal date or at** the discretion of the board, upon  
17 payment of the required fee, be **renewed**, relicensed, or reauthorized under such person's or such  
18 corporation's original license number.

19 2. Each application for the renewal of a license or of a certificate of authority shall be  
20 on a form furnished to the applicant and shall be accompanied by the required fee; but no  
21 renewal fee need be paid by any professional engineer over the age of seventy-five.

327.271. 1. A professional engineer licensed in this state may apply to the board for  
2 inactive license status on a form furnished by the board. Upon receipt of the completed inactive  
3 status application form and the board's determination that the license meets the requirements  
4 established by rule, the board shall declare the licensee inactive and shall place the licensee on  
5 an inactive status list. A person whose license is inactive shall not offer or practice professional  
6 engineering within this state, but may continue to use the title "professional engineer" or the  
7 initials "P.E." after such person's name.

8 2. If a licensee is granted inactive status, the licensee may return to active status by  
9 notifying the board in advance of such intention, by paying appropriate fees as determined by the  
10 board, and by meeting all established requirements of the board including the demonstration of  
11 current knowledge, competency and skill in the practice of professional engineering as a  
12 condition of [reinstatement] **reactivation**.

13 3. In the event an inactive licensee does not maintain a current license in any state for  
14 a five-year period immediately prior to requesting [reinstatement] **reactivation**, that person may  
15 be required to take the principles and practice of engineering examination.

327.272. 1. A professional land surveyor shall include any person who practices in  
2 Missouri as a professional land surveyor who uses the title of "surveyor" alone or in combination  
3 with any other word or words including, but not limited to "registered", "professional" or "land"

4 indicating or implying that the person is or holds himself or herself out to be a professional land  
5 surveyor who by word or words, letters, figures, degrees, titles or other descriptions indicates or  
6 implies that the person is a professional land surveyor or is willing or able to practice  
7 professional land surveying or who renders or offers to render, or holds himself or herself out  
8 as willing or able to render, or perform any service or work, the adequate performance of which  
9 involves the special knowledge and application of the principles of land surveying, mathematics,  
10 the related physical and applied sciences, and the relevant requirements of law, all of which are  
11 acquired by education, training, experience and examination, that affect real property rights on,  
12 under or above the land and which service or work involves:

13 (1) The determination, location, relocation, establishment, reestablishment, layout, or  
14 retracing of land boundaries and positions of the United States Public Land Survey System;

15 (2) **The** monumentation of land boundaries, land boundary corners and corners of the  
16 United States Public Land Survey System;

17 (3) The subdivision of land into smaller tracts **and preparation of property**  
18 **descriptions;**

19 (4) **The survey and location of rights-of-way and easements;**

20 (5) Creating, preparing, or modifying electronic or computerized data relative to the  
21 performance of the activities in subdivisions (1) to (3) of this subsection;

22 [(5)] (6) Consultation, investigation, **design surveys**, evaluation, planning, design and  
23 execution of surveys;

24 [(6)] (7) The preparation of any drawings showing the shape, location, dimensions or  
25 area of tracts of land;

26 [(7)] (8) Monumentation of geodetic control and the determination of their horizontal  
27 and vertical positions;

28 [(8)] (9) Establishment of state plane coordinates;

29 [(9)] (10) Topographic surveys and the determination of the horizontal and vertical  
30 location of any physical features on, under or above the land;

31 [(10)] (11) The preparation of plats, maps or other drawings showing elevations and the  
32 locations of improvements and the measurement and preparation of drawings showing existing  
33 improvements after construction;

34 [(11)] (12) Layout of proposed improvements;

35 [(12)] (13) The determination of azimuths by astronomic observations.

36 2. None of the specific duties listed in subdivisions [(4)] (5) to [(12)] (13) of subsection  
37 1 of this section are exclusive to professional land surveyors unless they affect real property  
38 rights. For the purposes of this section, the term "real property rights" means a recordable  
39 interest in real estate as it affects the location of land boundary lines.

40           3. **Professional land surveyors shall be in responsible charge of all drawings, maps,**  
41 **surveys, and other work product that can affect the health, safety, and welfare of the**  
42 **public within their scope of practice.**

43           4. Nothing in this section shall be construed to preclude the practice of architecture or  
44 professional engineering **or professional landscape architecture** as provided in sections  
45 327.091 [and] , 327.181, **and 327.600.**

46           [4. Nothing in this section shall be construed to prohibit the subdivision of land pursuant  
47 to section 137.185.]

          327.312. 1. Any person may apply to the board for [examination and] enrollment as a  
2 land surveyor-in-training who is over the age of twenty-one, who is of good moral character, who  
3 is a high school graduate, or who holds a Missouri certificate of high school equivalence (GED),  
4 and either:

5           (1) Has graduated and received a baccalaureate degree in an approved curriculum as  
6 defined by board regulation which shall include at least twelve semester hours of approved  
7 surveying course work as defined by board regulation of which at least two semester hours shall  
8 be in the legal aspects of boundary surveying; or

9           (2) Has passed at least sixty hours of college credit which shall include credit for at least  
10 twenty semester hours of approved surveying course work as defined by board regulation of  
11 which at least two semester hours shall be in legal aspects of boundary surveying and present  
12 evidence satisfactory to the board that in addition thereto such person has at least one year of  
13 combined professional office and field experience in land surveying projects under the  
14 immediate personal supervision of a professional land surveyor; or

15           (3) Has passed at least twelve semester hours of approved surveying course work as  
16 defined by board regulation of which at least two semester hours shall be in legal aspects of land  
17 surveying and in addition thereto has at least two years of combined professional office and field  
18 experience in land surveying projects under the immediate personal supervision of a professional  
19 land surveyor. Pursuant to this provision, not more than one year of satisfactory postsecondary  
20 education work shall count as equivalent years of satisfactory land surveying work as  
21 aforementioned.

22           2. The board shall issue a certificate of completion to each applicant who satisfies the  
23 requirements of the aforementioned land surveyor-in-training program and passes such  
24 examination or examinations as shall be required by the board.

          327.313. Applications for [examination and] enrollment as a land surveyor-in-training  
2 shall be [printed] **typewritten** on prescribed forms furnished to the applicant. The application  
3 shall contain applicant's statements showing the applicant's education, experience and such other  
4 pertinent information as the board may require, including but not limited to three letters of

5 reference, one of which shall be from a professional land surveyor who has personal knowledge  
6 of the applicant's land surveying education or experience. Each application shall contain a  
7 statement that it is made under oath or affirmation and that the representations are true and  
8 correct to the best knowledge and belief of the applicant, subject to the penalties of making a  
9 false affidavit or declaration and shall be accompanied by the required fee.

327.314. [1.] Any person may apply to the board for [examination and] licensure as a  
2 professional land surveyor who has been enrolled as a land surveyor-in-training and has  
3 presented evidence to the satisfaction of the board that said person has acquired at least four  
4 years of satisfactory professional field and office experience in land surveying from the date of  
5 enrollment as a land surveyor-in-training. This experience shall have been under the immediate  
6 personal supervision of a professional land surveyor.

7 [2. At any time prior to January 1, 2006, any applicant enrolled as a land  
8 surveyor-in-training under the provisions of subsection (1) or (2) of section 327.312 must have  
9 acquired at least two years of satisfactory professional field and office experience in land  
10 surveying under the immediate supervision of a professional land surveyor. Any person who  
11 applied for enrollment as a land surveyor-in-training under the provisions of subsection (3) of  
12 section 327.312 must have acquired at least one year of satisfactory professional field and office  
13 experience in land surveying under the immediate supervision of a professional land surveyor.]

327.321. Applications for [examination and] licensure as a professional land surveyor  
2 shall be typewritten on prescribed forms furnished to the applicant. The application shall contain  
3 the applicant's statements showing the applicant's education, experience, results of prior land  
4 surveying examinations, if any, and such other pertinent information as the board may require,  
5 including but not limited to three letters of reference from professional land surveyors with  
6 personal knowledge of the experience of the applicant's land surveying education or experience.  
7 Each application shall contain a statement that it is made under oath or affirmation and that its  
8 representations are true and correct to the best knowledge and belief of the person signing same,  
9 subject to the penalties of making a false affidavit or declaration and shall be accompanied by  
10 the required fee.

327.331. 1. After [the board] **it** has **been** determined [upon such inquiry and by such  
2 methods as it may consider proper] that an applicant possesses the qualifications entitling [such]  
3 **the** applicant to be examined, each applicant for examination and enrollment as a land  
4 surveyor-in-training and for examination and [license] **licensure** as a professional land surveyor  
5 in Missouri shall appear before the board or its representatives for examination at the time and  
6 place specified [by the board in a written notice to each such applicant, provided that an  
7 examination shall be given at least once in each calendar year].

8           2. The [written] examination or examinations shall be of such form, content and duration  
9 as shall be determined by the board to thoroughly test the qualifications of each applicant to  
10 become enrolled as a land surveyor-in-training or to [be] become licensed as a professional land  
11 surveyor in Missouri.

12           3. Any applicant to be eligible for enrollment or for license must make a grade on the  
13 applicable examination of at least seventy percent.

14           4. Any person who passes the examination hereinabove specified shall be entitled to be  
15 enrolled as a land surveyor-in-training or licensed as a professional land surveyor, as the case  
16 may be, in Missouri and shall receive a certificate of enrollment or a license, as the case may be.

327.341. If an applicant fails to make the required grade specified in section 327.331,  
2 such applicant may apply for reexamination [on a form to be furnished by the board, and if such  
3 application is approved, the applicant may take another examination or examinations at such  
4 time and place as is specified by the board. The reexamination shall be governed by the  
5 provisions of section 327.331] **in accordance with the guidelines established by the National**  
6 **Council of Examiners for Engineering and Surveying or its successor.**

327.351. 1. The professional license issued to every professional land surveyor in  
2 Missouri, including certificates of authority issued to corporations as provided in section  
3 327.401, shall be renewed on or before the license or certificate renewal date provided that the  
4 required fee is paid. The license of any professional land surveyor or the certificate of authority  
5 of any such corporation which is not renewed [within three months of] **by** the renewal date shall  
6 [be suspended automatically, subject to the right of the holder of such suspended license or  
7 certificate to have it reinstated within nine months of the date of suspension, if the reinstatement  
8 fee is paid. Any license or certificate of authority suspended and not reinstated within nine  
9 months of the suspension date shall] **expire on the renewal date** and be void and the holder of  
10 such expired license or certificate shall have no rights or privileges thereunder, but any person  
11 or corporation whose license or certificate has expired may, within **three months of the**  
12 **certificate renewal date or at** the discretion of the board and upon payment of the required fee,  
13 **be renewed,** reregistered, or relicensed under such person's or corporation's original license  
14 number.

15           2. Each application for the renewal of a license or of a certificate of authority shall be  
16 on a form furnished to the applicant and shall be accompanied by the required fee; but no  
17 renewal fee need be paid by any professional land surveyor over the age of seventy-five.

18           3. [Beginning January 1, 1996,] As a condition for renewal of a license issued pursuant  
19 to section 327.314, a license holder shall be required to successfully complete twenty units of  
20 professional development that meet the standards established by the board regulations within the  
21 preceding two calendar years. Any license holder who completes more than twenty units of

22 professional development within the preceding two calendar years may have the excess, not to  
23 exceed ten units, applied to the requirement for the next two-year period.

24 4. The board shall not renew the license of any license holder who has failed to complete  
25 the professional development requirements pursuant to subsection 3 of this section, unless such  
26 license holder can show good cause why he or she was unable to comply with such requirements.  
27 If the board determines that good cause was shown, the board shall permit the license holder to  
28 make up all outstanding required units of professional development.

29 5. A license holder may at any time prior to the termination of his or her license request  
30 to be classified as inactive. Inactive licenses may be maintained by payment of an annual fee  
31 determined by the board. Holders of inactive licenses shall not be required to complete  
32 professional development as required in subsection 3 of this section. Holders of inactive licenses  
33 shall not practice as professional land surveyors within this state, but may continue to use the  
34 title "professional land surveyor" or the initials "PLS" after such person's name. If the board  
35 determines that good cause was shown, the board shall permit the professional land surveyor to  
36 make up all outstanding required units of professional development.

37 6. [A holder of an inactive license may return such license to an active license to practice  
38 professional land surveying by paying the required fee, and either:

39 (1) Completing one-half of the two-year requirement for professional development  
40 multiplied by the number of years of lapsed or inactive status. The maximum requirement for  
41 professional development units shall be two and one-half times the two-year requirement. The  
42 minimum requirement for professional development units shall be no less than the two-year  
43 requirement. Such requirement shall be satisfied within the two years prior to the date of  
44 reinstatement; or

45 (2) **Taking] If a licensee is granted inactive status, the licensee may return to active**  
46 **status by notifying the board in advance of such intention by paying appropriate fees as**  
47 **determined by the board, and by meeting all established requirements of the board**  
48 **including the demonstration of current knowledge, competency, and skill in the practice**  
49 **of land surveying as a condition of reactivation.**

50 7. **In the event an inactive licensee does not maintain a current license in any state**  
51 **for a five-year period immediately prior to requesting reactivation, that person may be**  
52 **required to take** such examination as the board deems necessary to determine such person's  
53 qualifications. Such examination shall cover areas designed to demonstrate the applicant's  
54 proficiency in current methods of land surveying practice.

55 [7.] 8. Exemption to the required professional development units shall be granted to  
56 [registrants] **licensees** during periods of serving honorably on full-time active duty in the military  
57 service.

58 [8.] 9. At the time of application for license renewal, each licensee shall report, on a  
59 form provided by the board, the professional development activities undertaken during the  
60 preceding renewal period to satisfy the requirements pursuant to subsection 3 of this section.  
61 The licensee shall maintain a file in which records of activities are kept, including dates,  
62 subjects, duration of program, and any other appropriate documentation, for a period of four  
63 years after the program date.

327.381. [The board shall issue a license to any architect, professional engineer,  
2 professional land surveyor or landscape architect who has been licensed in another state, territory  
3 or possession of the United States, or in another country, provided that the board is satisfied by  
4 proof adduced by such applicant that the applicant's qualifications meet or exceed the  
5 requirements for initial licensure in Missouri at the time of the applicant's initial license,] **The**  
6 **board may license, in its discretion, any architect, professional engineer, professional land**  
7 **surveyor, or professional landscape architect licensed in another state or territory of the**  
8 **United States, province of Canada, or in another country, when such applicant has**  
9 **qualifications which are at least equivalent to the requirements for licensure as an**  
10 **architect, professional engineer, professional land surveyor, or professional landscape**  
11 **architect in this state**, and provided further that the board may establish by rule the conditions  
12 under which it shall require any such applicant to take any examination it considers necessary,  
13 and provided further that the board is satisfied by proof adduced by such applicant that the  
14 applicant is of good moral character, and provided further that any such application is  
15 accompanied by the required fee [which shall be equal to the examination fee].

327.392. 1. The board shall upon application issue a professional engineering license  
2 to any individual who holds a degree at the bachelor's level or higher in engineering and who has  
3 at least twenty years of satisfactory engineering experience, and who passes part two of the  
4 [written] examination defined in section 327.241, provided that any such application is  
5 accompanied by the required fee.

2. The board shall upon application issue a professional engineering license to any  
7 individual who holds a degree from an Engineering Accreditation Commission of the  
8 Accreditation Board for Engineering and Technology (ABET, INC.) or its equivalent and a  
9 doctorate in engineering from an institution that offers Engineering Accreditation Commission  
10 programs, and who passes part two of the [written] examination defined in section 327.241,  
11 provided that any such application is accompanied by the required fee. The doctorate degree  
12 must be approved by the board for the candidate to qualify.

327.401. 1. The right to practice as an architect or to practice as a professional engineer  
2 or to practice as a professional land surveyor or to practice as a **professional** landscape architect  
3 shall be deemed a personal right, based upon the qualifications of the individual, evidenced by



4 such individual's professional license and shall not be transferable; but any architect or any  
5 professional engineer or any professional land surveyor or any **professional** landscape architect  
6 may practice his or her profession through the medium of, or as a member or as an employee of,  
7 a partnership or corporation if the plans, specifications, estimates, plats, reports, surveys or other  
8 like documents or instruments of the partnership or corporation are signed and stamped with the  
9 personal seal of the architect, professional engineer, professional land surveyor, or **professional**  
10 landscape architect by whom or under whose immediate personal supervision the same were  
11 prepared and provided that the architect or professional engineer or professional land surveyor  
12 or **professional** landscape architect who affixes his or her signature and personal seal to any such  
13 plans, specifications, estimates, plats, reports or other documents or instruments shall be  
14 personally and professionally responsible therefor.

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

327.411. 1. Each architect and each professional engineer and each professional land  
2 surveyor and each **professional** landscape architect shall have a personal seal in a form  
3 prescribed by the board, and he or she shall affix the seal to all final [documents including, but  
4 not limited to, plans, specifications, estimates, plats, reports, surveys, proposals and other  
5 documents or instruments] **technical submissions**. **Technical submissions shall include, but  
6 are not limited to, drawings, specifications, plats, surveys, exhibits, reports, and  
7 certifications of construction** prepared by the licensee, or under such licensee's immediate  
8 personal supervision. Such licensee shall either prepare or personally supervise the preparation  
9 of all documents sealed by the licensee, and such licensee shall be held personally responsible  
10 for the contents of all such documents sealed by such licensee, whether prepared or drafted by  
11 another licensee or not.

12 2. The personal seal of an architect or professional engineer or professional land surveyor  
13 or **professional** landscape architect shall be the legal equivalent of the licensee's signature  
14 whenever and wherever used, and the owner of the seal shall be responsible for the architectural,  
15 engineering, **land** surveying, or landscape architectural documents, as the case may be, when the  
16 licensee places his or her personal seal on such [plans, specifications, estimates, plats, reports,  
17 surveys or other documents or instruments for, or] **technical submissions** to be used in  
18 connection with, any architectural or engineering project, survey, or landscape architectural  
19 project. Licensees shall undertake to perform architectural, professional engineering,  
20 professional land surveying and **professional** landscape architectural services only when they  
21 are qualified by education, training, and experience in the specific technical areas involved.

22 3. Notwithstanding any provision of this section, any architect, professional engineer,  
23 professional land surveyor, or **professional** landscape architect may, but is not required to, attach  
24 a statement over his or her signature, authenticated by his or her personal seal, specifying the  
25 particular [plans, specifications, plats, reports, surveys or other documents or instruments]  
26 **technical submissions**, or portions thereof, intended to be authenticated by the seal, and  
27 disclaiming any responsibility for all other [plans, specifications, estimates, reports, or other  
28 documents or instruments] **technical submissions** relating to or intended to be used for any part  
29 or parts of the architectural or engineering project or survey or landscape architectural project.

30 4. Nothing in this section, or any rule or regulation of the board shall require any  
31 professional to seal preliminary or incomplete documents.

327.442. 1. At such time as the final trial proceedings are concluded whereby a licensee,  
2 or any person who has failed to renew or has surrendered his or her certificate of licensure or  
3 authority, has been adjudicated and found guilty, or has entered a plea of guilty or nolo

4 contendere, in a felony prosecution pursuant to the laws of this state, the laws of any other state,  
5 territory, or the laws of the United States of America for any offense reasonably related to the  
6 qualifications, functions, or duties of a licensee pursuant to this chapter or any felony offense,  
7 an essential element of which is fraud, dishonesty, or an act of violence, or for any felony offense  
8 involving moral turpitude, whether or not sentence is imposed, the board for architects,  
9 professional engineers, professional land surveyors and **professional** landscape architects may  
10 hold a disciplinary hearing to singly or in combination censure or place the licensee named in  
11 the complaint on probation on such terms and conditions as the board deems appropriate for a  
12 period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke  
13 the license or certificate.

14 2. Anyone who has been revoked or denied a license or certificate to practice in another  
15 state may automatically be denied a license or certificate to practice in this state. However, the  
16 board for architects, professional engineers, professional land surveyors and **professional**  
17 landscape architects may establish other qualifications by which a person may ultimately be  
18 qualified and licensed to practice in Missouri.

327.451. 1. Any person who believes that an architect or a professional engineer or a  
2 professional land surveyor **or a professional landscape architect** has acted or failed to act so  
3 that his or her license or certificate of authority should, pursuant to the provisions of this chapter,  
4 be suspended or revoked, or who believes that any applicant for a license or certificate of  
5 authority pursuant to the provisions of this chapter is not entitled to a license or a certificate of  
6 authority, may file a written affidavit with the executive director of the board which the affiant  
7 shall sign and swear to and in which the affiant shall clearly set forth the reasons for the affiant's  
8 charge or charges that the license or certificate of an architect or professional engineer or  
9 professional land surveyor should be suspended or revoked or not renewed or that a license or  
10 certificate should not be issued to an applicant.

11 2. If the affidavit so filed does not contain statements of fact which if true would  
12 authorize, pursuant to the provisions of this chapter, suspension or revocation of the accused's  
13 license or certificate, or does not contain statements of fact which if true would authorize,  
14 pursuant to the provisions of this chapter, the refusal of the renewal of an existing license or  
15 certificate or the refusal of a license or certificate to an applicant, the board shall either dismiss  
16 the charge or charges or, within its discretion, cause an investigation to be made of the charges  
17 contained in the affidavit, after which investigation the board shall either dismiss the charge or  
18 charges or proceed against the accused by written complaint as provided in subsection 3 of this  
19 section.

20 3. If the affidavit contains statements of fact which if true would authorize pursuant to  
21 the provisions of this chapter the revocation or suspension of an accused's license or certificate,

22 the board shall cause an investigation to be made of the charge or charges contained in the  
23 affidavit and unless the investigation discloses the falsity of the facts upon which the charge or  
24 charges in the affidavit are based, the board shall file with and in the administrative hearing  
25 commission a written complaint against the accused setting forth the cause or causes for which  
26 the accused's license or certificate of authority should be suspended or revoked. Thereafter, the  
27 board shall be governed by and shall proceed in accordance with the provisions of chapter 621.

28 4. If the charges contained in the affidavit filed with the board would constitute a cause  
29 or causes for which pursuant to the provisions of this chapter an accused's license or certificate  
30 of authority should not be renewed or a cause or causes for which pursuant to the provisions of  
31 this chapter a certificate should not be issued, the board shall cause an investigation to be made  
32 of the charge or charges and unless the investigation discloses the falsity of the facts upon which  
33 the charge or charges contained in the affidavit are based, the board shall refuse to permit an  
34 applicant to be examined upon the applicant's qualifications for licensure or shall refuse to issue  
35 or renew a license or certificate of authority, as the case may require.

36 5. The provisions of this section shall not be so construed as to prevent the board on its  
37 own initiative from instituting and conducting investigations and based thereon to make written  
38 complaints in and to the administrative hearing commission.

39 6. If for any reason the provisions of chapter 621 become inapplicable to the board, then,  
40 and in that event, the board shall proceed to charge, adjudicate and otherwise act in accordance  
41 with the provisions of chapter 536.

327.461. Every contract for architectural or engineering or land surveying **or landscape**  
2 **architectural** services entered into by any person who is not an architect or professional engineer  
3 or professional land surveyor **or professional landscape architect**, as the case may be, and who  
4 is not exempt from the provisions of this chapter, shall be unenforceable by the unlicensed or  
5 unauthorized person, whether in contract, quantum meruit or other legal theory, regardless of  
6 whether a benefit has been conferred.

327.600. As used in sections 327.600 to 327.635, the following terms mean:

2 (1) ["Landscape architecture", the performance of professional services, including but  
3 not limited to consultations, research, planning, design or responsible supervision in connection  
4 with the development of land, in which the dominant purpose of such professional services is  
5 the preservation, enhancement or determination of land uses, natural land features, ground cover  
6 and planting, naturalistic and esthetic value, settings and approaches to structures or other  
7 improvements, natural drainage and the consideration and determination of inherent problems  
8 of the land relating to erosion, wear and tear, blight or other hazard;

9 (2)] "Practice of **professional** landscape architecture", the location and arrangement of  
10 such tangible objects and features as are [incidental and] necessary to the purposes specified in

11 the definition of landscape architecture, but shall not include the design of structures or facilities  
12 with separate and self-contained purposes such as are ordinarily included in the practice of  
13 engineering or architecture, and shall not include the making of final land plats for official  
14 approval or recording;

15 **(2) "Professional landscape architecture", the performance of professional services,**  
16 **including but not limited to consultations, research, analysis, planning, design, or**  
17 **responsible supervision in connection with feasibility studies, design surveys, formulation**  
18 **of graphic and written criteria to govern the planning and design of land construction**  
19 **programs, preparation, review, and analysis of master plans for land use and development,**  
20 **production of site plans, landscape grading and landscape drainage plans, irrigation plans,**  
21 **planting plans, and construction details, specifications, and reports for land development,**  
22 **design coordination, construction observation and the inspection of landscape architectural**  
23 **construction for the purpose of compliance with drawings and specifications.**

327.603. 1. [One year from the appointment of the landscape architecture division,] No  
2 person shall practice or offer to practice, or hold himself or herself out as a **professional**  
3 landscape architect or as being able to practice landscape architecture in this state or to use in  
4 connection with his or her name or otherwise assume, or advertise unless he or she is licensed  
5 as required by this chapter. Nothing in sections 327.600 to 327.635 shall be construed to require  
6 licensing of employees of the state of Missouri or its political subdivisions while performing  
7 duties for the state of Missouri or a political subdivision, provided the project does not  
8 jeopardize the public health, safety and welfare. Sections 327.600 to 327.635 shall not be  
9 construed to prohibit those persons engaged in nursery occupations, gardeners, landscape  
10 contractors, home builders or residential developers from preparing planting plans and items  
11 incidental thereto, provided the project scope does not jeopardize the public health, safety and  
12 welfare; nor shall sections 327.600 to 327.635 be construed to prevent the practice of any other  
13 legally recognized profession as governed by applicable law. Nothing contained in this section  
14 shall under any circumstances be construed as in anyway affecting the laws relating to the  
15 practice, licensing, certification or registration of architects, **professional** engineers and  
16 **professional** land surveyors. An architect, **professional** engineer or **professional** land surveyor  
17 licensed, certified or registered to practice his or her profession or occupation pursuant to the  
18 provisions of any law to regulate the practice of such profession or occupation is exempt from  
19 licensing as a **professional** landscape architect, and nothing contained in this section shall under  
20 any circumstances be construed as in anyway precluding an architect or **professional** engineer  
21 from performing any of the services included within the definition of the term landscape  
22 architecture in section 327.600.

23           2. [The licensure requirement shall be waived for those persons who hold a current  
24 registration by the division as a landscape architect on or before August 28, 2001, provided that  
25 application is made on a form prescribed by the board on or before December 31, 2002. The  
26 licensure requirement shall be waived for those persons whose certificates of registration have  
27 expired on or before August 28, 2002, by being approved by the board for reinstatement of  
28 expired registration and then making application for licensure on a form prescribed by the board  
29 on or before December 31, 2002.] **Professional landscape architects shall be in responsible**  
30 **charge of all landscape architectural designs that can affect the health, safety, and welfare**  
31 **of the public within their scope of practice.**

          327.607. The board shall conduct all examinations, determine which applicants have  
2 successfully passed the examinations and recommend each such applicant to the division for  
3 licensure as a **professional** landscape architect. The board may obtain the services of specially  
4 trained and qualified persons or organizations to assist in conducting examinations of applicants  
5 for licensure. Certification of an applicant's technical qualifications by the [council of landscape  
6 architectural registration boards] **Council of Landscape Architectural Registration Boards**  
7 **(CLARB)** may be accepted by this state's board as establishing such qualifications and the  
8 applicant shall not be required to pass any further examination.

          327.612. Any person who is of good moral character, has attained the age of twenty-one  
2 years, and has a degree in landscape architecture from an accredited school of landscape  
3 architecture and has acquired at least three years satisfactory landscape architectural experience  
4 after acquiring such a degree may apply to the board for [examination and] licensure as a  
5 **professional** landscape architect.

          327.615. Applications for [examinations and] licensure as a **professional** landscape  
2 architect shall be typewritten on forms approved by the board. The application shall contain the  
3 applicant's statements showing the applicant's education, experience, results of previous  
4 **professional** landscape architectural licensing examinations, if any, and such other pertinent  
5 information as the board may require. Each application shall contain a statement that it is made  
6 under oath or affirmation and that its representations are true and correct to the best knowledge  
7 and belief of the person signing the application subject to the penalties of making a false affidavit  
8 or declaration, and shall be accompanied by the required fee.

          327.617. 1. After [the board] **it** has **been** determined [upon such inquiry and by such  
2 methods as it may consider proper] that an applicant possesses the qualifications entitling the  
3 applicant to be examined, each applicant for examination and licensure as a **professional**  
4 landscape architect shall appear before the board or its representatives for examination at the  
5 time and place specified [by the board in a written notice to each such applicant, provided that  
6 an examination shall be given at least once in each calendar year].

7           2. The [written] examination shall be of such form, content and duration as determined  
8 by the **professional landscape architectural division of the** board to thoroughly test the  
9 qualifications of each applicant to **practice landscape architecture in Missouri.**

10           3. **An applicant to be eligible for licensure shall make a passing grade on each**  
11 **examination. The "passing grade" shall be fixed by the board but it shall never be higher**  
12 **than the current "passing grade" determined by the Council of Landscape Architectural**  
13 **Registration Boards.**

14           4. Any person who passes the examination prescribed by the board shall be entitled to  
15 be licensed as a **professional** landscape architect in Missouri, subject to the other provisions of  
16 sections 327.600 to 327.635.

          327.619. If an applicant fails to pass the examination, [he] **such applicant** may [make  
2 application for reexamination on a form furnished to the applicant, and may] take another  
3 examination at the next scheduled examination.

          327.621. 1. The professional license issued to every **professional** landscape architect  
2 in Missouri, and certificates of authority issued to corporations under section 327.401, shall be  
3 renewed on or before the license renewal date, provided that the required fee is paid. The board  
4 may establish, by rule, continuing education requirements as a condition to renewing the license  
5 of a **professional** landscape architect, provided that the board shall not require more than thirty  
6 such hours. The license of a **professional** landscape architect or the certificate of authority  
7 issued to any corporation which is not renewed [within three months of] **by** the renewal date  
8 shall [be suspended automatically, subject to the right of the holder thereof to have such  
9 suspended license reinstated within nine months of the date of suspension, if the reinstatement  
10 fee is paid. Any license or certificate of authority suspended and not reinstated within nine  
11 months of the suspension date shall] **expire on the renewal date** and be void and the holder  
12 thereof shall have no rights or privileges thereunder; provided, however, any person or  
13 corporation whose license has expired under this section may within **three months of the**  
14 **certificate renewal date or at** the discretion of the board, upon payment of the fee, be **renewed,**  
15 relicensed, or reauthorized under such person's or such corporation's original license number.

16           2. Each application for the renewal of a license shall be on a form furnished to the  
17 applicant and shall be accompanied by the required fee, but no renewal fee need be paid by any  
18 **professional** landscape architect over the age of seventy-five.

          327.622. 1. A **professional** landscape architect licensed in this state may apply to the  
2 board for inactive license status on a form furnished by the board. Upon receipt of the completed  
3 inactive status application form and the board's determination that the licensee meets the  
4 requirements established by rule, the board shall declare the licensee inactive and shall place the  
5 licensee on an inactive status list. A person whose license is inactive shall not offer or practice

6 landscape architecture within this state, but may continue to use the title "**professional** landscape  
7 architect" **or the initials "PLA" after such person's name.**

8         2. If a licensee is granted inactive status, the licensee may return to active status by  
9 notifying the board in advance of such intention by paying appropriate fees as determined by the  
10 board, and by meeting all established requirements of the board including the demonstration of  
11 current knowledge, competency, and skill in the practice of landscape architecture as a condition  
12 of [reinstatement] **reactivation.**

13         3. In the event an inactive licensee does not maintain a current license in any state for  
14 a five-year period immediately prior to requesting [reinstatement] **reactivation**, that person may  
15 be required to take an examination as the board deems necessary to determine such person's  
16 qualifications. Such examination shall cover areas designed to demonstrate proficiency in the  
17 knowledge of current methods of landscape architecture.

327.629. No person shall practice as a **professional** landscape architect in Missouri as  
2 defined in section 327.600 unless and until the board has issued to him or her a license **or**  
3 **certificate of authority** certifying that he or she has been duly licensed as a **professional**  
4 landscape architect in Missouri, and unless such licensure has been renewed as provided in  
5 section 327.621; provided, however, that nothing in sections 327.600 to 327.635 shall be  
6 construed [as authorizing a landscape architect to engage in the practice of architecture,  
7 engineering, land surveying or to affect or prevent the practice of architecture by an architect  
8 licensed pursuant to the laws of this state, or to affect or prevent the practice of engineering by  
9 a professional engineer licensed pursuant to the laws of this state, or to affect or prevent the  
10 practice of land surveying by a land surveyor licensed pursuant to the laws of this state; or to  
11 apply to any person licensed as an architect, professional engineer or land surveyor in this state  
12 except that] **to require licensing of a person or corporation who is offering, but not**  
13 **performing or rendering, landscape architectural services if the person or corporation is**  
14 **licensed to practice landscape architecture in the state or country of residence or principal**  
15 **place of business.** No person shall hold themselves out to be a **professional** landscape architect  
16 unless licensed pursuant to the provisions of sections 327.600 to 327.635.

327.630. The right to practice as a **professional** landscape architect shall be deemed a  
2 personal right, based upon the qualifications of the individual, evidenced by his or her license  
3 and shall not be transferable; provided, however, that any licensed **professional** landscape  
4 architect may practice his or her profession through the medium of, or as a member or as an  
5 employee of, a partnership or corporation.

327.635. Nothing contained in sections 327.600 to 327.635 shall be considered as a  
2 directive to any state department of administration or any political subdivision thereof to employ  
3 a **professional** landscape architect.



2 [327.391. The board shall upon application issue a license to any  
3 individual who has at least twenty years of satisfactory experience, and who  
4 passes the Fundamentals of Land Surveying examination, the Professional Land  
5 Surveying examination, and the Missouri state specific examination provided that  
6 any such application is accompanied by the required fee.]

2 [327.623. The board may license, in its discretion and without  
3 examination, any landscape architect certified, licensed or registered in another  
4 state or territory of the United States when such applicant has qualifications  
5 which are at least equivalent to the requirements for licensure as a landscape  
6 architect in this state.]

2 [327.631. 1. The board may refuse to issue any license required pursuant  
3 to section 327.629, or renewal or reinstatement thereof, for one or any  
4 combination of causes stated in subsection 2 of this section. The board shall  
5 notify the applicant in writing of the reasons for the refusal and shall advise the  
6 applicant of his or her right to file a complaint with the administrative hearing  
7 commission as provided by chapter 621.

8 2. The board may cause a complaint to be filed with the administrative  
9 hearing commission as provided by chapter 621 against any holder of any license  
10 required by section 327.629 or any person who has failed to renew or has  
11 surrendered his or her license for any one or any combination of the following  
12 causes:

13 (1) The person has been finally adjudicated and found guilty, or entered  
14 a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws  
15 of any state or of the United States, for any offense reasonably related to the  
16 qualifications, functions or duties of the profession regulated pursuant to sections  
17 327.600 to 327.635, for any offense an essential element of which is fraud,  
18 dishonesty or an act of violence, or for any offense involving moral turpitude,  
19 whether or not sentence is imposed;

20 (2) Use of fraud, deception, misrepresentation or bribery in securing any  
21 license or authority, permit or license issued pursuant to sections 327.600 to  
22 327.635 or in obtaining permission to take any examination given or required  
23 pursuant to sections 327.600 to 327.635;

24 (3) Obtaining or attempting to obtain any fee, charge, tuition or other  
25 compensation by fraud, deception or misrepresentation;

26 (4) Incompetency, misconduct, gross negligence, fraud, misrepresentation  
27 or dishonesty in the performance of the functions or duties of the profession  
28 regulated by sections 327.600 to 327.635;

29 (5) Violation of, or assisting or enabling any person to violate, any  
30 provision of sections 327.600 to 327.635, or of any lawful rule or regulation  
adopted pursuant to such sections;

31                   (6) Impersonation of any person holding a license or authority, permit or  
32 license allowing any person to use his or her certificate or diploma from any  
33 school;

34                   (7) Disciplinary action against the holder of a license or other right to  
35 practice the profession regulated by sections 327.600 to 327.635 granted by  
36 another state, territory, federal agency, or country upon grounds for which  
37 revocation or suspension is authorized in this state;

38                   (8) A person is finally adjudged insane or incompetent by a court of  
39 competent jurisdiction;

40                   (9) Issuance of a license based upon a material mistake of fact;

41                   (10) Use of any advertisement or solicitation which is false, misleading  
42 or deceptive to the general public or persons to whom the advertisement or  
43 solicitation is primarily directed.

44                   3. After the filing of such complaint, the proceedings shall be conducted  
45 in accordance with the provisions of chapters 536 and 621. Upon a finding by  
46 the administrative hearing commission that the grounds, provided in subsection  
47 2 of this section, for disciplinary action are met, the board may censure or place  
48 the person named in the complaint on probation on such terms and conditions as  
49 the board deems appropriate for a period not to exceed five years, or may  
50 suspend, for a period not to exceed three years, or revoke the license.]

✓