

(R391, H4783)

**AN ACT TO AMEND SECTION [40-3-20](#), AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS IN THE LICENSURE AND REGULATION OF ARCHITECTS, SO AS TO DEFINE "INTERN ARCHITECT"; TO AMEND SECTION [40-3-240](#), AS AMENDED, RELATING TO LICENSURE REQUIREMENTS, SO AS TO PROVIDE THAT APPLICATION FEES ARE NONREFUNDABLE AND THAT AN APPLICANT MUST BE ENROLLED AND PARTICIPATING IN THE INTERN DEVELOPMENT PROGRAM; TO AMEND SECTION [40-3-250](#), AS AMENDED, RELATING TO LICENSE RENEWAL AND CONTINUING EDUCATION REQUIREMENTS, SO AS TO FURTHER CLARIFY REQUIRED CONTINUING EDUCATION TOPICS AND TO REQUIRE REGISTRANTS TO COMPLY WITH AUDIT DEADLINES AND REQUIREMENTS; AND TO AMEND SECTION [40-3-280](#), RELATING TO ARCHITECTS AND ARCHITECTURAL FIRMS HAVING A SEAL, SO AS TO AUTHORIZE THE USE OF AN ELECTRONIC SEAL AND SIGNATURE.**

Be it enacted by the General Assembly of the State of South Carolina:

**"Intern Architect" defined**

SECTION 1. Section [40-3-20](#) of the 1976 Code, as amended by Act 366 of 2002, is further amended by adding at the end:

"(11) 'Intern Architect' means a person who:

- (a) has completed a NAAB accredited first professional degree and is eligible in all respects for licensure through examination;
- (b) is currently enrolled in and actively participating in the Intern Development Program or who has completed the Intern Development Program; and
- (c) is employed by a firm which is lawfully engaged in the practice of architecture in this State.

A person may use the title 'Intern Architect' only in connection with the person's employment with the firm in which the person is an intern. The title may not be used to advertise or offer to the public that the person is performing or offering to perform architectural services, and the person may not include himself in any listing of architects or in any listing of persons performing architectural services. The person may use a business card identifying himself as an 'Intern Architect', if the business card also includes the name of the architectural firm in which the person is an intern."

**License application requirements; Intern Development Program**

SECTION 2. Section [40-3-240](#) of the 1976 Code, as amended by Act 69 of 2005, is further amended to read:

"Section [40-3-240](#). (A) An application for licensure must be made on board application forms. A completed application signed and sworn to by the applicant must be filed with the board office and must be accompanied by all applicable fees. No application may be considered until the fees have been paid. Application fees are nonrefundable.

(B) The Architectural Registration Examination must be administered in a format and manner prescribed by the National Council of Architectural Registration Boards (NCARB) to all applicants for initial licensure. Applicants must pass all subject areas within the time prescribed by the National Council of Architectural Registration Boards (NCARB). Scores for the individual subject areas must not be averaged.

(C) An applicant must satisfy the requirements of Section [40-3-230](#)(C)(1) and must be currently enrolled and actively participating in the Intern Development Program in order to be approved by the board to take the Architectural Registration Examination. Once an applicant has been approved to take the examination, any subsequent changes in the education or experience requirements do not affect the applicant's eligibility to take the examination.

(D) The board may accept transfer credits for individual subject areas of the examination passed by the applicant from another jurisdiction."

### **License renewal requirements; continuing education**

SECTION 3. Section [40-3-250](#) of the 1976 Code, as last amended by Act 366 of 2002, is further amended to read:

"Section [40-3-250](#). (A) An individual and firm licensed under this chapter shall satisfy license renewal requirements as established by the board in regulation, which must include continuing education requirements for individuals. An individual shall complete a minimum of twelve continuing education hours annually in topics related to safeguarding health, safety, and welfare. Emeritus architects are not required to meet continuing education requirements. Individuals and firms annually shall pay the required renewal fee on a date set by the board in order to continue practicing architecture in South Carolina.

(B) Both individual and firm certificates may be renewed at any time within one year from the date of expiration upon payment of the established fee and a penalty of fifty dollars during the first thirty days and an additional one hundred dollars thereafter during the year.

(C) If an individual or firm fails to renew within one year from the date of expiration, the certificate may be reissued upon submission of a new application accompanied by the application fee and approval by the board.

(D) Emeritus architects who wish to return to active practice shall complete continuing education requirements for each exempted year not to exceed two years. Applicable fees also must be paid.

(E) Registrants must comply with continuing education audit deadlines and requirements."

## **Seal; electronic seal**

SECTION 4. Section [40-3-280](#) of the 1976 Code is amended to read:

"Section [40-3-280](#). (A) Every architect and firm practicing in this State shall have a seal containing the name, the place of business, and the words 'Registered Architect, State of South Carolina' with which they shall seal all drawings, prints, and specifications for use in their profession.

(B) The seal of the individual architect in responsible charge, as well as the seal of the firm, must appear on each print of the drawings and the index sheet, or sheets, of each set of specifications offered to secure a building permit and one record set for use on the construction site. The required seal identification may be a rubber stamp impression placed on original drawings and specification copy. The architect in responsible charge shall affix his signature over his seal. An electronic seal and signature may be used in lieu of an original seal and signature by applicable policy or regulation."

## **Time effective**

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 5th day of June, 2008.

Signed by Governor Sanford on June 11, 2008.