

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 715  
Committee Substitute Favorable 4/3/89

Short Title: Architecture Board Jurisdiction.

(Public)

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Sponsors:

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Referred to:

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March 20, 1989

1 A BILL TO BE ENTITLED  
2 AN ACT TO GRANT AUTHORITY TO THE NORTH CAROLINA BOARD OF  
3 ARCHITECTURE TO IMPOSE A CIVIL PENALTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 83A-15 reads as rewritten:

6 **"§ 83A-15. Denial, suspension or revocation of license.**

7 The Board shall have the power to suspend or revoke a license or certificate of  
8 registration, to deny a license or certificate of ~~registration~~ registration, or to reprimand or  
9 levy a civil penalty not in excess of five hundred dollars (\$500.00) per violation against  
10 any registrant who is found guilty of:

11 (1) Dishonest conduct, including but not limited to:

12 a. The commission of any fraud, deceit or misrepresentation in  
13 any professional relationship with clients or other persons; or  
14 with reference to obtaining or maintaining license, or with  
15 reference to qualifications, experience and past or present  
16 service; or

17 b. Using or permitting an individual professional seal to be used  
18 by or for others, or otherwise representing registrant as the  
19 author of drawings or specifications other than those prepared  
20 personally by or under direct supervision of registrant.

21 (2) Incompetence, including but not limited to:

- 1 a. Gross negligence, recklessness, or excessive errors or omissions  
2 or building failures in registrant's record of professional  
3 practice; or  
4 b. Mental or physical disability or addiction to alcohol or drugs so  
5 as to endanger health, safety and interest of the public by  
6 impairing skill and care in professional services.
- 7 (3) Unprofessional conduct, including but not limited to:  
8 a. Practicing or offering to practice architecture without a current  
9 license from this Board;  
10 b. Knowingly aiding or abetting others to evade or violate the  
11 provisions of this Chapter, or the health and safety laws of this  
12 or other states;  
13 c. Knowingly undertaking any activity or having any significant  
14 financial or other interest, or accepting any compensation or  
15 reward except from registrant's clients, any of which would  
16 reasonably appear to compromise registrant's professional  
17 judgment in serving the best interest of clients or public;  
18 d. Willfully violating this Chapter or any rule or standard of  
19 conduct published by the Board, or pleading guilty or **nolo**  
20 **contendere** to a felony or any crime involving moral turpitude.
- 21 (4) Actions to recover civil penalties against any registrant may be  
22 commenced by the Board pursuant to Chapter 150B of the General  
23 Statutes. In determining the amount of any civil penalty, the Board  
24 shall consider the degree and extent of harm caused by the violation.  
25 Any civil penalty collected hereunder shall be deposited to the General  
26 Fund."
- 27 Sec. 2. This act shall become effective October 1, 1989, and shall apply to  
28 violations occurring on or after that date.