

## Occupational Authorizations

### Arkansas State Board of Architects, Landscape Architects, and Interior Designers

#### Arkansas State Board of Architects, Landscape Architects, and Interior Designers

#### ARCHITECT

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Department of Labor and Licensing

Scope of Practice: An Architect is technically and legally qualified by education, experience, and examination. An Architect offers or provides, services in connection with the design and construction, enlargement, or alteration of a building or group of buildings, and the space within and surrounding such buildings, which is designed for human occupancy or habitation. The services include: planning, providing preliminary studies, designs, drawings, specifications, and other technical submissions; and administration of construction contracts.

Statutory Requirement(s): By statutory requirements A.C.A. § 17-15-101 and the rules promulgated thereunder.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

#### Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Licensure	\$250.00	Once
Fee	Renewal of Licensure	\$100.00	Annually
Penalty	Late Fees - One Month	\$50.00	Once
Penalty	Late Fees - Two Months	\$100.00	Once
Penalty	Late Fees - 3 Months	\$150.00	Once
Penalty	Late Fees - 4-12 Months	\$250.00	Once
Penalty	Late Fees - 13-24 Months	\$500.00	Once
Penalty	Late Fees - 25-36 Months	\$750.00	Once

#### Administrative Rules Documents

Document Type	Document
Rules	<a href="#">ASBALAID_Administrative_Rules_Effective_02072022.docx</a>

#### Supporting Evidence Documents

*No Supporting Evidence Documents Provided*





## INTERIOR DESIGNER

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Department of Labor and Licensing

Scope of Practice: A Registered Interior Designer is a design professional who is qualified by education, experience, and examination. A Registered Interior Designer performs services including preparation of working drawings and documents relative to non-load-bearing interior construction, materials, finishes, space planning, furnishings, fixtures, and equipment.

Statutory Requirement(s): By statutory requirements A.C.A § 17-35-101 and the rules promulgated thereunder.

Pursuant to Arkansas Code §17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

### Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Licensure	\$250.00	Once
Fee	Renewal of Licensure	\$100.00	Annually
Penalty	Late Fees - One Month	\$50.00	Once
Penalty	Late Fees - Two Months	\$100.00	Once
Penalty	Late Fees - Three Months	\$150.00	Once
Penalty	Late Fees - 4-12 Months	\$250.00	Once
Penalty	Late Fees - 13-24 Months	\$500.00	Once
Penalty	Late Fees - 25-36 Months	\$750.00	Once

### Administrative Rules Documents

Document Type	Document
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### Supporting Evidence Documents

*No Supporting Evidence Documents Provided*

**LANDSCAPE ARCHITECT**

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Department of Labor and Licensing

Scope of Practice: An Landscape Architect provides any service or other work, which requires landscape architectural education, experience, and examination. The Landscape Architects performance of professional services such as consultation, investigation, reconnaissance, research, associated planning, design, preparation of drawings, specifications, and contract documents, and responsible supervision or construction management in connection with the development of land areas or water features where, and to the extent that, the dominant purpose of such services is landscape development, preservation, and enhancement, or determination of land uses, natural land features, and functional and aesthetic values. The determination, location, and construction of aesthetically pleasing and functional approaches and settings for features in the landscape, plantings, landscape irrigation, landscape lighting layout, landscape grading, and landscape drainage. Environmental planning and the design of tangible objects and features necessary to the purpose outlined herein.

Statutory Requirement(s): By statutory requirements A.C.A. § 17-36-101 and the rules promulgated thereunder.

Pursuant to Arkansas Code § 17-4-104, do you provide an automatic licensure to a uniformed service member stationed in the State of Arkansas, a uniformed service veteran who resides in or establishes residency in the State of Arkansas; and the spouse of a uniformed service member who is stationed in, resides in, or establishes residency in the State of Arkansas; a uniformed service member who is assigned a tour of duty that excludes the uniformed service member’s spouse from accompanying the uniformed service member and the spouse relocates to this state; and a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state?

<b>Fees &amp; Penalties</b>			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Licensure	\$250.00	Once
Fee	Renewal of Licensure	\$100.00	Annually
Penalty	Late Fees - One Month	\$50.00	Once
Penalty	Late Fees - Two Months	\$100.00	Once
Penalty	Late Fees - Three Months	\$150.00	Once
Penalty	Late Fees - 4-12 Months	\$250.00	Once
Penalty	Late Fees - 13-24 Months	\$500.00	Once
Penalty	Late Fees - 25-36 Months	\$750.00	Once

<b>Administrative Rules Documents</b>	
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Rules	<a href="#">ASBALAID_Administrative_Rules_Effective_02072022.docx</a>

**Supporting Evidence Documents**

*No Supporting Evidence Documents Provided*

**ALC – Occupational Licensing Review Subcommittee  
Occupational Entity Questionnaire**

**Arkansas State Board of Architects, Landscape Architects, and Interior Designers  
Department of Labor and Licensing**

- 1. Would consumers be at risk of substantial harm if Arkansas did not have this occupational authorization? What instances of specific and substantial harm have been documented in the past year?**

Yes, consumers would risk substantial harm if Arkansas did not have this occupational authorization. The professional licensing of architects, landscape architects, and registered interior designers establishes a standard for minimal competency that is critical in professions that impact public health, safety, and welfare.

The primary responsibility of any architect, landscape architect, and registered interior designer is to design environments that are safe, durable, functional, satisfy reasonable environmental standards, and contribute esthetically to the surrounding community. To accomplish this, the design professional must satisfy the applicable requirements of law and demonstrate the correct application of skills and knowledge. It must be emphasized that the results of faulty design may be injurious not only to the person who engages the design professional but also to the third parties who inhabit or use the environment.

Professional licensing protects consumers and the public by ensuring a baseline level of proven qualification and expertise. This ensures that those who hire architects, landscape architects, and registered interior designers are protected from incompetent or dishonest individuals.

An instance of specific and substantial harm this year is currently ongoing.

- 2. How many complaints were made to the occupational entity by consumers being harmed by unauthorized practitioners? What specific action was taken by the occupational entity?**

The Board has received five consumer complaints. Three cases were closed, due to no substantial evidence of a violation of the Arkansas Architectural Act or its rules. The consumer was advised to seek legal counsel. In one case the Board levied fines by way of

**ALC – Occupational Licensing Review Subcommittee  
Occupational Entity Questionnaire**

a consent agreement: and the unlicensed business was required to apply for licensure. At present, there is one pending case.

- 3. How many complaints were made to the occupational entity by consumers being harmed by authorized practitioners? What specific action was taken by the occupational entity?**

The Board has received one consumer complaint. The case was closed, due to no substantial evidence of a violation of the Arkansas Architectural Act or its rules. The Board handles other complaints that stem from continuing education non-compliance, falsifying documentation, and failure to report.

- 4. Were any applicants who otherwise met authorization requirements denied an authorization in the past year? If so, why?**

No, there were no applicants that met authorization requirements denied authorization in the last year.

- 5. How much does the occupational entity collect annually in fees, and what are annual expenses? How much money does the occupational entity have in reserves?**

Annual fee revenue is approximately \$558,720. Annual expenses are approximately \$236,330. The general fund balance is 3.5 million.

- 6. If the occupational entity has a positive amount in reserves, when was the last time reserve funds were used? For what purpose?**

I have no documentation of the reserves being used in the past. I know the reserves were earmarked for the purchase of a board office building before Act 910 the Transformation and Efficiencies Act of 2019.

- 7. Does the occupational entity have any other sources of revenue? Could occupational authorization fees be reduced without causing the occupational entity to be underfunded?**

Licensing fees are the agency's primary source of revenue, with minor amounts of revenue provided by interest on CD investments.

## **ALC – Occupational Licensing Review Subcommittee Occupational Entity Questionnaire**

The Board has a strategic plan in place to award tuition and exam scholarships to emerging design professionals. The Board wants to allocate a portion of its fees to the longevity of the scholarships and other endeavors. A reduction in fees would not underfund the agency at this time but could potentially affect the Board's ability for scholarship opportunities.

**8. How many applicants for the occupational authorization fail each year? Does the occupational entity track how many applicants that do not progress are veterans, women, or minorities?**

We had no applicants fail to be licensed, with the required education, experience, and examination.

The pass rate for the Architectural Registration Exam (ARE) is 55%.

The pass rate for the Landscape Architects Registration Exam (LARE) ranges from 54 – 68%.

The pass rate for the National Council of Interior Design Qualifications (NCIDQ) exam ranges from 55-65%.

The Board does not track gender or race information. We do track active military, veterans, and their spouses who apply for an expedited or temporary license. We currently have none.

**9. Can applicants complete the training requirements for this occupational authorization with vocational or non-traditional education (e.g., apprenticeships)? What percentage of applicants complete apprenticeships?**

No, there are no apprenticeship training opportunities available for architects, landscape architects, or interior designers.

**10. In what ways would removal of the occupational authorization or reduction of occupational authorization requirements be harmful to current authorization holders?**

Without occupational authorization, there would be no requirements for unlicensed individuals to have relevant education and experience in the design professions. This means someone with no architectural education could potentially design buildings for public use.



## **ALC – Occupational Licensing Review Subcommittee Occupational Entity Questionnaire**

Removal of the occupational authorization requirements would also serve to disrupt the economic opportunities of registrants.

The occupational authorization requirements enable design professionals to identify their qualifications to the public and clients and require them to satisfy continuing education requirements to ensure their knowledge to protect the public remains current.

Without occupational authorization registered interior designers, would be stripped of their legal recognition and any ability to practice independently, which would cause immediate disruptions to several small, women-owned businesses.

The removal or reduction of occupational authorization requirements poses the biggest risk to public safety.