

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Rep. Mahony

HOUSE BILL 1912

"AN ACT TO AMEND SUBSECTION (d) OF SUBSECTION 2. OF SECTION 2 OF ACT 270 OF 1941, AS AMENDED [ARK. STATS. 71-302 2.(d)] TO CLARIFY THE CIRCUMSTANCES UNDER WHICH AN ARCHITECT MUST BE EMPLOYED IN THE DESIGNING OF BUILDINGS TO BRING THE SAME MORE IN LINE WITH THE INCREASED COSTS OF BUILDING CONSTRUCTION IN THIS STATE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. That subsection (d) of subsection 2. of Section 2 of Act 270 of 1941, as amended, the same being subsection (d) of subsection 2. of Section 71-302 of the Arkansas Statutes (1975 Supp.), is hereby amended to read as follows:

"(d) Residents of this State acting as designers for (1) buildings that are to be constructed for personal use, such as residences, provided such buildings are not intended, or adaptable, for public employment, assembly, or any other use under which they will be open to the public; (2) single family detached, duplex, triplex and quadruplex dwellings; (3) buildings that are constructed at a cost, not including site, of not to exceed seventy-five thousand dollars (\$75,000); and further provided that such persons designing said buildings in above-said subdivisions (1), (2) and (3) are residents of the State of Arkansas and provided that they do not use the title 'Architects' or any term derived therefrom. Provided, however, that the terms of this Act shall not apply to any public school district exempted from the provisions of this Act, or all public school districts embracing cities with a population in excess of thirty thousand (30,000), and which maintain a full-time superintendent of buildings with engineering and architectural experience. Provided, this exception shall only apply (1) to the repair and maintenance of buildings already constructed and alterations thereof, and (2) to new structures that

will not exceed in cost the sum of seventy-five thousand dollars (\$75,000). Provided further that the provisions of this Act shall not apply to any public school district where the building, alteration or structure does not exceed the sum of fifty thousand dollars (\$50,000)."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. Emergency. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1204 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

