

LEGISLATIVE HISTORY CHECKLIST

NJSA: 45: 3-5 et al

LAWS OF: 1967

CHAPTER: 289

Bill No: A787

Sponsor(s): Doren & others

Date Introduced: April 3, 1967

Committee: Assembly: Business Affairs Comm.

Senate: -----

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: January 9, 1968

Senate: December 11, 1967

Date of Approval: January 25, 1968

Following statements are attached if available:

Sponsor statement: No

Committee Statement: Assembly: No

Senate: No

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

ASSEMBLY, No. 787

STATE OF NEW JERSEY

INTRODUCED APRIL 3, 1967

By Assemblymen DOREN, WILENTZ and BRIGIANI

Referred to Committee on Business Affairs

AN ACT concerning the practice of architecture, amending sections 45:3-5, 45:3-6 and 45:3-10, and supplementing chapter 3 of Title 45 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

3 1. Section 45:3-5 of the Revised Statutes is amended to read
4 as follows:

5 45:3-5. A person shall, before entering the practice of architec-
6 ture in this State, first apply to the board for a license. Provision
7 shall be made by the board for holding examinations at least
8 twice a year, if there are applicants for registration to practice
9 said profession. Applicants for examination shall, at least [10]
10 45 days before an examination, present to the [secretary-director
11 of the] board a written application on forms provided by the
12 board, indorsed by 2 registered architects of good standing, one
13 of whom must be a resident of this State, together with satis-
14 factory proof that the applicant is more than 21 years of age, is
15 of good moral character, is a citizen of the United States *or has*
16 *declared his intention to become such a citizen*, has obtained a
17 certificate or diploma issued after at least 4 years of study in an
18 approved high school [of this State] or in a legally constituted
19 academy, seminary or institute of equal grade or has received
20 an academic education considered and accepted by the Commis-
21 sioner of Education as fully equivalent, has [taken] *completed* a
22 full course in architecture in a university, *college* or technical
23 school, approved by the board; and in addition thereto, has [studied
24 not less than 3 years] *acquired experience* in the office of a
25 reputable architect *in private practice or in public employ under*
26 *the supervision of a registered architect where his activities are*
27 *similar in scope to that of private practice, or in such other*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

1 professional practice as the board may approve, for a period of 3
 2 years, at least 1 year of which shall be accomplished subsequent
 3 to completion of the course in architecture. The board may admit
 4 to the examinations an individual who demonstrates to the board's
 5 satisfaction that he has acquired through years of experience or
 6 through experience and partial schooling, the equivalent of a full
 7 course in architecture. No individual shall be permitted to take
 8 the examination while a complaint is pending in which the individ-
 9 ual is charged with the illegal practice of architecture under section
 10 45:3-10 of this act or while penalties imposed pursuant to section
 11 45:3-11 of this act remain unsatisfied. The applicant shall pay
 12 to the [secretary-director of the] board a fee of \$10.00 for filing
 13 application for examination and a fee of \$50.00, for the exami-
 14 nation, if the application therefor is approved by the board. A
 15 re-examination fee of \$10.00 for each part, not exceeding \$50.00,
 16 shall be paid by all applicants required to take re-examinations in
 17 one or more parts. Examination of applicants for certificates to
 18 practice architecture shall be divided into 7 parts, as follows:
 19 Part I, building design; Part II, site planning; Part III, history
 20 and theory of architecture; Part IV, building construction; Part V,
 21 structural design; Part VI, professional administration; Part VII,
 22 building equipment.

23 2. Applicants examined and licensed in accordance with the
 24 provisions of this chapter who, when admitted to the licensing
 25 examination, were citizens of a foreign country, and who had
 26 declared intention of becoming citizens of the United States, shall,
 27 upon passing the examination, be issued a license valid for 6 years
 28 from the date of such declaration of intention and upon failure
 29 of such licensee to furnish evidence of his having actually become
 30 a citizen, his license shall become invalid and automatically become
 31 revoked and his registration shall be annulled.

32 3. Section 45:3-6 of the Revised Statutes is amended to read
 33 as follows:

34 45:3-6. If the examination of an applicant for registration shall
 35 be satisfactory to the majority of the board, a certificate shall be
 36 issued to said applicant, upon the payment of an additional fee
 37 of \$25.00 to the board, authorizing him to practice the profession
 38 of architecture. Any person who shall present to the board a
 39 certificate from a similarly constituted board of another State,
 40 with such other satisfactory evidence of competency as the board
 41 in its discretion may require, where the qualifications required in
 42 such State are substantially equal to those required in this State,
 43 [shall be entitled to receive] may be granted such certificate upon

1 the payment to the board of a fee of \$50.00; *provided, however,*
 2 *that such individual shall not be entitled to consideration of his*
 3 *application while a complaint is pending in which the individual*
 4 *is charged with the illegal practice of architecture under section*
 5 *45:3-10 of this act or while penalties imposed pursuant to section*
 6 *45:3-11 of this act remain unsatisfied.* Each person licensed shall
 7 cause such license to be recorded in the office of the Secretary of
 8 State. At the time of the issuance of the certificate, the board
 9 shall furnish to the applicant a seal to be used by him in the
 10 conduct of his practice, to be impressed upon plans and other
 11 papers prepared by him when necessary; where a seal has been
 12 lost by a duly licensed architect, a new one shall be issued by the
 13 board upon application therefor, accompanied by the prescribed
 14 fee, and proof to the satisfaction of the board of such loss or other
 15 good cause. The board shall require the payment of a reasonable
 16 fee for the issuance of the seal to cover the cost of the same. Any
 17 person who shall use a seal which has not been furnished to him
 18 by the board, or who shall impress same upon plans or other
 19 papers, or who shall come into possession of a seal not issued to
 20 him and fail to turn same over to the board after a demand is
 21 made therefor, or who, after the *forfeiture*, revocation or suspen-
 22 sion of his license, shall fail to return a seal to the board shall
 23 be guilty of a violation of this chapter and upon conviction thereof
 24 shall pay a fine of \$100.00, or upon failure to forthwith pay said
 25 fine, shall be imprisoned in the county jail for a period not exceed-
 26 ing 30 days.

27 4. Section 45:3-10 of the Revised Statutes is amended to read
 28 as follows:

29 45:3-10. Any person who shall pursue the practice of architec-
 30 ture in this State, or shall engage in this State in the business
 31 of preparing plans, specifications and preliminary data for the
 32 erection or alteration of any building ***or structure***, except build-
 33 ings ***or structures*** designed by licensed professional engineers
 34 incidental or supplemental to engineering projects, or use the
 35 title architect or registered architect, or shall advertise or use
 36 any title, sign, card or device to indicate that such person is an
 37 architect, without a certificate thereof or while his certificate is
 38 *revoked*, suspended**[.]** or *forfeited* in accordance with the pro-
 39 visions of this chapter, or any person aiding or assisting such
 40 person not having a certificate to practice architecture or while
 41 his certificate to practice architecture is *revoked*, suspended or
 42 *forfeited*, or any person who violates any provision of this act
 43 or any rule or regulation of the board shall be liable to a penalty

1 of not less than \$200.00, nor more than \$500.00 for the first offense,
2 and a penalty of not less than \$500.00 nor more than \$1,000.00 for
3 a second or each subsequent offense, which penalty shall be sued
4 for, and recovered by and in the name of the board. The payment
5 to the board of an amount at least equal to the minimum penalty
6 prescribed in this act, prior or subsequent to the commencement
7 of proceedings for the recovery of a penalty shall be deemed and
8 construed to be a conviction, and any subsequent violation shall
9 be considered an additional offense.

10 Any single act or transaction shall constitute engaging in busi-
11 ness or *in* the practice of architecture within the meaning of this
12 chapter.

13 Nothing herein contained shall prohibit students or employees
14 of licensed architects from acting upon the authority of such
15 licensed architects, whose certificates have not been *revoked*,
16 suspended *or forfeited*, where said students or employees are under
17 the immediate supervision of such licensed architect, or to prohibit
18 any person in this State from acting as designer of **[any building]**
19 *a dwelling and all appurtenances thereto* that **[is]** *are* to be con-
20 structed by himself **[for his own occupancy or occupancy by]**
21 *solely as a residence for himself or for a member or members of*
22 his immediate family**[, but no]**.

23 No licensed architect shall permit his name to be used in connec-
24 tion with the name of any other person not licensed to practice
25 architecture in this State in any advertisement, sign, card or device
26 in such a manner as to indicate that such other person is a licensed
27 architect.

28 5. The Superior Court may in an action brought by the Attorney
29 General in the name of the board grant injunctive relief to prevent
30 and restrain any habitual violation of this chapter or any of the
31 orders or rules or regulations issued by the board or any other
32 violation of any of the provisions of this chapter.

33 6. This act shall take effect immediately.

ASSEMBLY, No. 787

STATE OF NEW JERSEY

INTRODUCED APRIL 3, 1967

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Referred to Committee on Business Affairs

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18 any person in this State from acting as designer of **[any building]**
19 *a dwelling and all appurtenances thereto* that **[is]** are to be con-
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21 *solely as a residence for himself or for a member or members of*
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29 General in the name of the board grant injunctive relief to prevent
30 and restrain any habitual violation of this chapter or any of the
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32 violation of any of the provisions of this chapter.

33 6. This act shall take effect immediately.

SENATE AMENDMENTS TO
ASSEMBLY, No. 787

STATE OF NEW JERSEY

ADOPTED NOVEMBER 27, 1967

Amend page 3, section 4, line 32, after "building", delete "or structure".

Amend page 3, section 4, line 33, before "designed", delete "or structures".