

CHAPTER.....

AN ACT relating to professions; revising the provisions governing the formation and operation of a professional corporation or association by certain multiple disciplines; authorizing the state board of architecture, interior design and residential design to accept satisfactory evidence of registration as an interior designer in another jurisdiction under certain circumstances; repealing certain provisions governing a member of the board who is a residential designer or registered interior designer; providing that a certificate of registration issued to an architect, registered interior designer or residential designer must be renewed annually; revising the qualifications to apply for registration as an architect or registered interior designer; revising the circumstances under which a residential designer may engage in practice as a registered interior designer; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 89.040 is hereby amended to read as follows:

89.040 1. One or more persons may organize a professional corporation in the manner provided for organizing a private corporation pursuant to chapter 78 of NRS. Each person organizing the corporation must, except as otherwise provided in subsection 2 of NRS 89.050, be authorized to perform the professional service for which the corporation is organized. The articles of incorporation must contain the following additional information:

(a) The profession to be practiced by means of the professional corporation.

(b) The names and post office ~~boxes~~ *boxes* or street addresses, either residence or business, of the original stockholders and directors of the professional corporation.

(c) ~~IA~~ *Except as otherwise provided in paragraph (d) of this subsection, a* certificate from the regulating board of the profession to be practiced showing that each of the directors, and each of the stockholders who is a natural person, is licensed to practice the profession.

(d) For a professional corporation organized pursuant to this chapter and practicing pursuant to the provisions of NRS 623.349, a certificate from the regulating board or boards of the profession or professions to be practiced showing that control and two-thirds ownership of the corporation is held by persons registered or licensed pursuant to the applicable provisions of chapter 623, 623A or 625 of NRS. As used in this paragraph, "control" has the meaning ascribed to it in NRS 623.349.

2. The corporate name of a professional corporation must contain the words "Professional Corporation" or the abbreviation "Prof. Corp.," or the word "Chartered" or "Limited" or the abbreviation "Ltd." The corporate name must contain the last name of one or more of its stockholders. The corporation may render professional services and exercise its authorized powers under a fictitious name if the corporation has first registered the name in the manner required by chapter 602 of NRS.

Sec. 2. NRS 89.050 is hereby amended to read as follows:

89.050 1. Except as otherwise provided in subsection 2, a professional corporation may be organized only for the purpose of

rendering one specific type of professional service and may not engage in any business other than rendering the professional service for which it was organized and services reasonably related thereto, except that a professional corporation may own real and personal property appropriate to its business and may invest its ~~funds~~ *money* in any form of real property, securities or any other type of investment.

2. A professional corporation may be organized to render a professional service relating to:

(a) Architecture, interior design, *residential design*, engineering and landscape architecture, or any combination thereof, and may be composed of persons:

(1) Engaged in the practice of architecture as provided in chapter 623 of NRS;

(2) Practicing as a registered interior designer as provided in chapter 623 of NRS;

(3) *Engaged in the practice of residential design as provided in chapter 623 of NRS;*

(4) Engaged in the practice of landscape architecture as provided in chapter 623A of NRS; and

~~(4)~~ (5) Engaged in the practice of professional engineering as provided in chapter 625 of NRS.

(b) Medicine, homeopathy and osteopathy, and may be composed of persons engaged in the practice of medicine as provided in chapter 630 of NRS, persons engaged in the practice of homeopathic medicine as provided in chapter 630A of NRS and persons engaged in the practice of osteopathic medicine as provided in chapter 633 of NRS. Such a professional corporation may market and manage additional professional corporations which are organized to render a professional service relating to medicine, homeopathy and osteopathy.

3. A professional corporation may render a professional service only through its officers and employees ~~[-, all of whom must be authorized to render that]~~ *who are licensed or otherwise authorized by law to render the* professional service.

Sec. 3. NRS 89.070 is hereby amended to read as follows:

89.070 1. Except as otherwise provided in ~~subsections 2 and 3:~~ *this section and NRS 623.349:*

(a) No corporation organized under the provisions of this chapter may issue any of its stock to anyone other than a natural person who is licensed to render the same specific professional services as those for which the corporation was incorporated.

(b) No stockholder of a corporation organized under this chapter may enter into a voting trust agreement or any other type of agreement vesting another person with the authority to exercise the voting power of any or all of his stock, unless the other person is licensed to render the same specific professional services as those for which the corporation was incorporated.

(c) No shares of a corporation organized under this chapter may be sold or transferred except to a natural person who is eligible to be a stockholder of the corporation or to the personal representative or estate of a deceased or legally incompetent stockholder. The personal representative or estate of the stockholder may continue to own shares for a reasonable period, but

may not participate in any decisions concerning the rendering of professional services.

The articles of incorporation or bylaws may provide specifically for additional restrictions on the transfer of shares and may provide for the redemption or purchase of the shares by the corporation, its stockholders or an eligible individual account plan complying with the requirements of subsection 2 at prices and in a manner specifically set forth. A stockholder may transfer his shares in the corporation or any other interest in the assets of the corporation to a revocable trust if he acts as trustee of the revocable trust and any person who acts as cotrustee and is not licensed to perform the services for which the corporation was incorporated does not participate in any decisions concerning the rendering of those services.

2. ~~HA~~ *Except as otherwise provided in NRS 623.349, a* person not licensed to render the professional services for which the corporation was incorporated may own a beneficial interest in any of the assets, including corporate shares, held for his account by an eligible individual account plan sponsored by the professional corporation for the benefit of its employees, which is intended to qualify under section 401 of the Internal Revenue Code, ~~HA~~ 26 U.S.C. § 401, ~~HA~~ if the terms of the trust are such that the total number of shares which may be distributed for the benefit of persons not licensed to render the professional services for which the corporation was incorporated is less than a controlling interest and:

(a) The trustee of the trust is licensed to render the same specific professional services as those for which the corporation was incorporated; or

(b) The trustee is not permitted to participate in any corporate decisions concerning the rendering of professional services in his capacity as trustee.

A trustee who is individually a stockholder of the corporation may participate in his individual capacity as a stockholder, director or officer in any corporate decision.

3. ~~HA~~ *Except as otherwise provided in subsection 4, a* professional corporation in which all the stockholders who are natural persons are licensed to render the same specific professional service ~~HA~~ may acquire and hold stock in another professional corporation, or in a similar corporation organized pursuant to the corresponding law of another state, *only* if all the stockholders who are natural persons of the corporation whose stock is acquired are licensed in that corporation's state of incorporation to render the same specific professional service as the stockholders who are natural persons of the professional corporation that acquires the stock.

4. *A professional corporation practicing pursuant to NRS 623.349 in which all the stockholders are natural persons, regardless of whether or not the natural persons are licensed to render the same specific professional service, may acquire and hold stock in another professional corporation or in a similar corporation organized pursuant to the corresponding law of another state if control and two-thirds ownership of the business organization or association that is acquired is held by persons registered or licensed pursuant to the applicable provisions of*

chapter 623, 623A or 625 of NRS. As used in this subsection, “control” has the meaning ascribed to it in NRS 623.349.

5. Any act in violation of this section is void and does not pass any rights or privileges or vest any powers, except to an innocent person who is not a stockholder and who has relied on the effectiveness of the action.

Sec. 4. NRS 89.080 is hereby amended to read as follows:

89.080 1. If any officer, stockholder, director or employee of a corporation organized under this chapter who has been rendering professional service to the public becomes legally disqualified to render such professional services within this state, he shall sever within a reasonable period all professional service with and financial interest in the corporation, ~~but~~ but this chapter does not prevent a corporation formed under this chapter from entering into a contract with an employee which provides for severance pay or for compensation for past services upon termination of professional service, whether by death or otherwise.

2. ~~No~~ *Except as otherwise provided in NRS 623.349, a natural* person may *not* be an officer or director of a corporation organized under this chapter ~~other than a natural person who~~ *unless he* is licensed to render the same specific professional services as those for which the corporation was incorporated.

3. Upon the death of a stockholder of a corporation who has transferred his interest in the corporation to a revocable trust as permitted by NRS 89.070, the trustee of the revocable trust may continue to retain any interest so transferred, including corporate shares, for a reasonable period, but may not exercise any authority concerning the rendering of professional services and may not *, except as otherwise provided in NRS 623.349,* distribute the corporate interest to any person not licensed to render the services for which the corporation was incorporated.

4. A corporation’s failure to require compliance with the provisions of this section is a ground for the forfeiture of its charter.

Sec. 5. NRS 89.230 is hereby amended to read as follows:

89.230 ~~Members~~ *Except as otherwise provided in NRS 623.349, members* who organize a professional association must all be natural persons licensed to render the same specific professional services as those for which the professional association is organized. ~~A~~ *Except as otherwise provided by law, a* professional association may render professional service only through its members and employees ~~, all of whom must be licensed~~ *who are licensed or otherwise authorized by law* to render the professional service.

Sec. 6. NRS 89.240 is hereby amended to read as follows:

89.240 1. If any member or employee of a professional association who has been rendering professional service to the public becomes legally disqualified to render the professional service within this state, he shall sever within a reasonable period all professional service with and financial interest in the association; but this chapter does not prevent a professional association from entering into a contract with a member or employee which provides for severance pay or for compensation for past services upon termination of professional service, whether by death or otherwise. Upon the death of a member of the association who has transferred his interest in the association to a revocable trust as permitted by subsection 2,

the trustee of the revocable trust may continue to retain any interest so transferred for a reasonable period, but may not exercise any authority concerning the rendering of professional services and may not, *except as otherwise provided in NRS 623.349*, distribute the interest in the association or its assets to any person not licensed to render the services for which the association was organized.

2. ~~Not~~ *Except as otherwise authorized by NRS 623.349*, a membership interest in a professional association may *not* be sold or transferred except to a natural person who is eligible to be a member of the association or to the personal representative or estate of a deceased or legally incompetent member, except as provided in this subsection. The personal representative of such a member may continue to own such interest for a reasonable period, but may not participate in any decisions concerning the rendering of professional service. A member may transfer his interest in the association or any other interest in the assets of the association to a revocable trust if he acts as trustee of the revocable trust and any person who acts as cotrustee and is not licensed to perform the services for which the association is organized does not participate in any decisions concerning the rendering of those professional services.

3. The articles of association may provide specifically for additional restrictions on the transfer of members' interests and may provide for the redemption or purchase of such an interest by the association or its other members at prices and in a manner specifically set forth in the articles.

Sec. 7. NRS 89.250 is hereby amended to read as follows:

89.250 1. ~~Not~~ *Except as otherwise provided in subsection 2*, a professional association shall, on or before the last day of the month in which the anniversary date of its organization occurs in each year, furnish a statement to the secretary of state showing the names and residence addresses of all members and employees in such association and shall certify that all members and employees are licensed to render professional service in this state.

2. *A professional association organized and practicing pursuant to the provisions of this chapter and NRS 623.349 shall, on or before the last day of the month in which the anniversary date of its organization occurs in each year, furnish a statement to the secretary of state:*

(a) Showing the names and residence addresses of all members and employees of the association who are licensed or otherwise authorized by law to render professional service in this state;

(b) Certifying that all members and employees who render professional service are licensed or otherwise authorized by law to render professional service in this state; and

(c) Certifying that all members who are not licensed to render professional service in this state do not render professional service on behalf of the association except as authorized by law.

3. The statement must:

(a) Be made on a form prescribed by the secretary of state and must not contain any fiscal or other information except that expressly called for by this section.

(b) Be signed by the chief executive officer of the association.

~~13.1~~ 4. Upon filing the annual statement required by this section, the association shall pay to the secretary of state a fee of \$15.

~~14.1~~ 5. As used in this section, “signed” means to have executed or adopted a name, word or mark, including, without limitation, a digital signature as defined in NRS 720.060, with the present intention to authenticate a document.

Sec. 8. Chapter 623 of NRS is hereby amended by adding thereto the provisions set forth as sections 9 and 10 of this act.

Sec. 9. *“Responsible control” means the amount of control over and detailed knowledge of the content of a technical submission during its preparation that is ordinarily exercised by a registered architect, registered interior designer or residential designer, as applicable, when applying the normal standard of professional care.*

Sec. 10. *The board may accept satisfactory evidence of registration as an interior designer in another jurisdiction where the qualifications required are equal to those required in paragraphs (d) and (e) of subsection 1 of NRS 623.192 at the date of application. Before the board may accept that evidence, the applicant must pass the examination required pursuant to the provisions of subsection 3 of NRS 623.200.*

Sec. 11. NRS 623.015 is hereby amended to read as follows:

623.015 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 623.017 to 623.027, inclusive, *and section 9 of this act*, have the meanings ascribed to them in those sections.

Sec. 12. NRS 623.025 is hereby amended to read as follows:

623.025 The “practice of residential design” consists of rendering services embracing the scientific, esthetic or orderly coordination of processes which enter into ~~the~~ :

1. The production of ~~a~~ completed ~~single family dwelling units and multifamily dwelling structures that do~~ :

(a) *Single-family dwelling unit; or*

(b) *Multifamily dwelling structure that does* not exceed two stories in height and ~~are~~ *is* composed of not more than four units in ~~each structure or the utilization~~ *that structure; and*

2. *The use* of space within and surrounding ~~those units or structures,~~ *the unit or structure,*

performed through the medium of plans, specifications, administration of construction, preliminary studies, consultations, evaluations, investigations, contract documents and advice and direction.

Sec. 13. NRS 623.050 is hereby amended to read as follows:

623.050 1. The state board of architecture, interior design and residential design, consisting of nine members appointed by the governor, is hereby created.

2. The governor shall appoint:

(a) Five members who are registered architects and have been in the active practice of architecture in the State of Nevada for not less than 3 years preceding their appointment.

(b) One member who is a registered residential designer.

(c) Two members who are registered interior designers and who are not registered architects or residential designers.

(d) One member who is a representative of the general public.

3. Members of the board must have been residents of this state for not less than 2 years preceding their appointment.

4. The governor may, upon *a* bona fide complaint, and for good cause shown, after 10 days' notice to any member against whom charges may be filed, and after opportunity for hearing, remove the member for inefficiency, neglect of duty or malfeasance in office.

~~5. The member who is a residential designer shall not participate in the investigation or acceptance of his application or in the grading or certification of his examination.~~

~~6. The members who are registered interior designers shall not participate in the investigation or acceptance of their applications or in the grading or certification of their examinations.~~

Sec. 14. NRS 623.180 is hereby amended to read as follows:

623.180 1. No person may practice:

(a) Architecture or use the title of architect;

(b) Residential design or use the title of residential designer; or

(c) As a registered interior designer or use the title of registered interior designer,

in this state without having a certificate of registration issued to him pursuant to the provisions of this chapter.

2. Whenever the requirements for registration pursuant to the provisions of this chapter have been fully complied with and fulfilled by an applicant, the board shall issue to the successful applicant a certificate as a registered architect, registered interior designer or residential designer. ~~If the certificate will be issued after the beginning of a biennium, the applicant shall pay the full fee which is prescribed.~~ *Each certificate of registration issued by the board expires on December 31 of each year. The board shall, by regulation, establish a schedule of prorated fees for a certificate of registration that is issued for less than 1 year.*

3. The certificate is synonymous with registration with a serial number and seal. A person who is issued a certificate may practice architecture or residential design or may practice as a registered interior designer in this state, subject to the provisions of this chapter and the regulations of the board.

4. The unauthorized use or display of a certificate of registration is unlawful.

Sec. 15. NRS 623.185 is hereby amended to read as follows:

623.185 1. Upon being issued a certificate of registration, each registered architect, registered interior designer or residential designer shall obtain a seal of the design authorized by the board, bearing the architect's, registered interior designer's or residential designer's name, the number of his certificate of registration, and the legend "Registered Architect," "Registered Interior Designer" or "Residential Designer."

2. ~~Plans, specifications, reports and other documents~~ *A plan, specification, report or other document* issued by a registered architect, registered interior designer or residential designer for official use must be signed, sealed and dated ~~on the title page by the architect or designer.~~ *by him. The board may adopt regulations specifying the manner in which a registered architect, registered interior designer or residential designer*

may electronically transmit such a plan, specification, report or other document.

3. It is unlawful for a person to stamp or seal any ~~{plans, specifications, reports or other documents}~~ *plan, specification, report or other document* with the seal after the certificate of registration of the architect, registered interior designer or residential designer, named therein, has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.

4. Any plan, drawing, specification or other document prepared by a registered interior designer must contain a statement that the plan, study, drawing, specification or other document was prepared by a registered interior designer registered pursuant to the provisions of this chapter.

Sec. 16. NRS 623.190 is hereby amended to read as follows:

623.190 1. Any person who is at least 21 years of age and of good moral character and who meets the requirements for education and practical training established by the board by regulation may apply to the board for registration pursuant to *the provisions of* this section as an architect.

2. Each year of study, up to and including 5 years of study, satisfactorily completed in an architectural program accredited by the National Architectural Accrediting Board, any program of architecture in the State of Nevada or any architectural program approved by the state board of architecture, interior design and residential design is considered equivalent to 1 year of experience in architectural work for the purpose of registration as an architect.

3. The board shall, by regulation, establish standards for examinations which must be consistent with standards employed by other states. The board may adopt the standards of the National Council of Architectural Registration Boards, and the examination and grading procedure of that organization, as they exist on the date of adoption. Examinations may include tests in such technical and professional subjects as are prescribed by the board.

4. If the board adopts the examination of the National Council of Architectural Registration Boards, an applicant for registration as an architect who wishes to:

(a) Take the examination must pay to the entity which administers the examination the fee charged by that entity for taking the examination and pay to the board a processing fee as provided in NRS 623.310.

(b) Retake any part or parts of the examination which he previously failed must pay to the entity which administers the examination the fee charged by that entity for retaking ~~{such}~~ *that* part or parts.

5. Any person who is at least 21 years of age and of good moral character and who has a total of 5 years of credit for education or practical training, or a combination thereof which is acceptable to the board, may apply to the board for registration as a residential designer. The board shall, by regulation, establish the amount of credit allowed for education, practical training or a combination thereof.

6. The board shall, by regulation, establish the standards for the examination to qualify as a residential designer . ~~{which may be required}~~

~~as part of the examination to be an architect.~~ The examination must consist of at least ~~1~~:

~~— (a) A written examination covering:~~

~~— (1) the following subjects:~~

(a) Structural technology;

~~(2)~~ (b) Materials and methods of construction;

~~(3)~~ (c) Systems for environmental control; and

~~(4)~~ (d) Graphic design. ~~1~~; and

~~— (b) An oral interview of the applicant by the board upon the successful completion of the written portion of the examination.~~

7. *Before being issued a certificate of registration to engage in the practice of architecture or residential design, each applicant must personally appear before the board to take an oath prescribed by the board.*

8. Any application to the board may be denied for any violation of *the provisions of* this chapter.

Sec. 17. NRS 623.192 is hereby amended to read as follows:

623.192 1. An applicant for a certificate of registration to practice as a registered interior designer must be of good moral character and submit to the board:

(a) An application on a form provided by the board;

(b) The fees required pursuant to NRS 623.310;

(c) The statement required pursuant to NRS 623.225;

(d) Proof which is satisfactory to the board that he has : ~~completed~~;

(1) At least ~~5 years of education in a program of interior design or an equivalent number of credits and at least 1 year~~ *2 years* of experience in interior design; ~~for~~

~~— (2) At least 4 years of education in~~ *and*

(2) *Successfully completed* a program of interior design ~~for an equivalent number of credits and at least 2 years of experience in interior design;~~ *accredited by the Foundation for Interior Design Education Research or a substantially equivalent program approved by the board;* and

(e) A certificate issued by the National Council for Interior Design Qualification as proof that he has passed the examination prepared and administered by that organization.

2. ~~Each program of interior design must be accredited by the Foundation for Interior Design Education Research or approved by the board.~~

~~— 3.~~ The board shall, by regulation, adopt the standards of the National Council for Interior Design Qualification for the experience ~~and equivalent credits~~ required pursuant to *the provisions of* subsection 1 as those standards exist on the date of the adoption of the regulation.

3. *Before being issued a certificate of registration to practice as a registered interior designer, each applicant must personally appear before the board to take an oath prescribed by the board.*

4. Any application submitted to the board may be denied for any violation of the provisions of this chapter.

Sec. 18. NRS 623.220 is hereby amended to read as follows:

623.220 1. The board shall issue a certificate of registration as an architect or a residential designer, upon payment of a registration fee pursuant to *the provisions of subsection 2 of NRS 623.180 or NRS 623.310*, to any applicant who complies with the provisions of NRS 623.190 and 623.225 and passes the examinations, or in lieu thereof, brings himself within the provisions of NRS 623.210.

2. The board shall issue a certificate of registration to practice as a registered interior designer, upon payment of a registration fee pursuant to *the provisions of NRS 623.180 or 623.310*, to any applicant who complies with the provisions of NRS 623.192, 623.200 and 623.225 ~~+~~, *or in lieu thereof, brings himself within the provisions of section 10 of this act.*

3. Certificates of registration must include the full name of the registrant, have a serial number and be signed by the chairman and the secretary of the board under seal of the board. The issuance of a certificate of registration by the board is evidence that the person named therein is entitled to all the rights and privileges of an architect, registered interior designer or residential designer while the certificate remains unsuspended, unrevoked and unexpired.

Sec. 19. NRS 623.250 is hereby amended to read as follows:

623.250 1. Each architect, registered interior designer or residential designer who ~~holds~~ *wishes to renew* a certificate of registration *issued to him* pursuant to the provisions of this chapter ~~{shall, before or during the month of December of each year preceding a biennium during which he desires to continue:~~

~~— (a) The practice of architecture or residential design; or~~

~~— (b) To practice as a registered interior designer, submit a renewal fee~~ *must submit to the board:*

(a) The fees required for renewal pursuant to the provisions of this chapter ~~+~~ *proof*;

(b) Proof of compliance with all of the requirements established by the board for continuing education for the renewal of the certificate *of registration*; and ~~the~~

(c) The statement required pursuant to the provisions of NRS 623.225.

2. Upon receipt of the *fees required for renewal*, ~~{fee,}~~ proof satisfactory to the board of compliance with all of the requirements established by the board for continuing education and the statement, the secretary of the board shall execute and issue a certificate renewal card to the applicant, certifying that his certificate of registration is renewed for ~~{the term of a biennium.}~~ *1 year after its date of expiration.* The certificate renewal card must bear a serial number and the signature or a facsimile thereof of the secretary of the board or the executive director and must bear the seal of the board.

3. The renewal must be recorded, together with its serial number, by the secretary of the board in the official register of the board pursuant to *the provisions of NRS 623.230.*

Sec. 20. NRS 623.270 is hereby amended to read as follows:

623.270 1. The board may place the holder of any certificate of registration issued pursuant to *the provisions of* this chapter on probation, reprimand him, fine him not more than \$10,000, suspend or revoke his

license, impose the costs of investigation and prosecution upon him or take any combination of these disciplinary actions, if proof satisfactory to the board is presented that:

(a) The certificate was obtained by fraud or concealment of a material fact.

(b) The holder of the certificate has been found guilty by the board or by a court of justice of any fraud, deceit or concealment of a material fact in his professional practice, or has been convicted by a court of justice of a crime involving moral turpitude.

(c) The holder of the certificate has been found guilty by the board of incompetency, negligence or gross negligence in:

(1) The practice of architecture or residential design; or

(2) His practice as a registered interior designer.

(d) The holder of a certificate has affixed his signature or seal to plans, drawings, specifications or other instruments of service which have not been prepared by him or in his office, or under his ~~direct supervision,~~ *responsible control*, or has permitted the use of his name to assist any person who is not a registered architect, registered interior designer or residential designer to evade any provision of this chapter.

(e) The holder of a certificate has aided or abetted any unauthorized person to practice:

(1) Architecture or residential design; or

(2) As a registered interior designer.

(f) The holder of the certificate has violated any law, regulation or code of ethics pertaining to:

(1) The practice of architecture or residential design; or

(2) Practice as a registered interior designer.

(g) The holder of a certificate has failed to comply with an order issued by the board or has failed to cooperate with an investigation conducted by the board.

2. If discipline is imposed pursuant to *the provisions of* this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the board.

~~12-1~~ 3. The conditions for probation imposed pursuant to *the provisions of* subsection 1 may include, but are not limited to:

(a) Restriction on the scope of professional practice.

(b) Peer review.

(c) Required education or counseling.

(d) Payment of restitution to ~~all parties~~ *each person* who suffered harm or loss.

(e) Payment of all costs of the administrative investigation and prosecution.

~~13-1~~ 4. As used in this section:

(a) "Gross negligence" means conduct which demonstrates a reckless disregard of the consequences affecting the life or property of another person.

(b) "Incompetency" means conduct which, in:

(1) The practice of architecture or residential design; or

(2) Practice as a registered interior designer, demonstrates a significant lack of ability, knowledge or fitness to discharge a professional obligation.

(c) “Negligence” means a deviation from the normal standard of professional care exercised generally by other members in:

- (1) The profession of architecture or residential design; or
- (2) Practice as a registered interior designer.

Sec. 21. NRS 623.333 is hereby amended to read as follows:

623.333 1. An architect ~~for a residential designer~~ who is registered pursuant to the provisions of this chapter is not required to obtain a certificate of registration to practice as a registered interior designer.

2. *A residential designer who is registered pursuant to the provisions of this chapter is not required to obtain a certificate of registration to practice as a registered interior designer while engaged in the practice of residential design.*

Sec. 22. NRS 623.350 is hereby amended to read as follows:

623.350 1. ~~Every~~ *Each* office or place of business *in this state* of any partnership, corporation, limited-liability company or other business organization or association ~~engaged~~ *that engages* in the practice of architecture *or residential design, or practice as a registered interior designer* pursuant to the provisions of NRS 623.349 ~~shall~~ *must* have an architect, *registered interior designer or residential designer* who is a resident of this state and holds a certificate of registration issued pursuant to this chapter regularly working in the office or place of business and ~~directly~~ *having* responsible *control* for the ~~administration of the~~ architectural work *or work relating to engaging in practice as a registered interior designer* conducted in the office or place of business. The provisions of this subsection do not apply to partnerships, corporations, limited-liability companies or other business organization or associations ~~engaged~~ *that engage* in the practice of architecture *or residential design or practice as a registered interior designer* at offices established for construction administration.

2. A registrant or licensee practicing in a business organization or association which holds a certificate issued pursuant to NRS 623.349 remains subject to NRS 89.220.

3. If a person who is not registered or licensed, or a registrant or licensee who is not an owner, and who is employed by or affiliated with a business organization or association which holds a certificate issued pursuant to NRS 623.349 is found by the board to have violated a provision of this chapter or a regulation of the board, the board may hold the business organization or association and the registrants and licensees who are owners responsible for the violation.

Sec. 23. NRS 623.353 is hereby amended to read as follows:

623.353 A residential designer shall not engage in rendering services for any building or structure not specified in NRS 623.025 unless he does so under the ~~direct supervision~~ *responsible control* of a registered architect. In such cases, the architect is the sole contracting party, has full responsibility for the work performed by the residential designer, shall supervise any work performed by the residential designer and shall file the

agreement between the residential designer and the architect with the secretary of the board within 10 days after the execution of the agreement.

Sec. 24. NRS 625.407 is hereby amended to read as follows:

625.407 1. Except as otherwise provided in this section:

(a) A firm, partnership, corporation or other person engaged in or offering to engage in the practice of engineering or land surveying in this state shall employ full time at least one professional engineer or professional land surveyor, respectively, at each place of business where the work is or will be performed; and

(b) All engineering or land-surveying work done at a place of business must be performed under a professional engineer or professional land surveyor, respectively, who has been placed in responsible charge of the work and who is employed full time at that particular place of business.

2. If the only professional engineer or professional land surveyor employed full time at a place of business where engineering or land-surveying work is performed ceases to be employed at that place of business, during the 30 days next following his departure:

(a) The place of business is not required to employ full time a professional engineer or professional land surveyor; and

(b) The professional engineer or professional land surveyor placed in responsible charge of engineering or land-surveying work performed at the place of business is not required to be employed full time at that place of business.

3. Except as otherwise provided in subsection 5:

(a) A firm, partnership, corporation or other person who performs or offers to perform engineering services in a certain discipline at a particular place of business in this state shall employ full time at that place of business a professional engineer licensed in that discipline.

(b) Each person who holds himself out as practicing a certain discipline of engineering must be licensed in that discipline or employ full time a professional engineer licensed in that discipline.

4. ~~{Architects, registered interior designers, residential designers, professional}~~ **Professional** engineers and ~~{landscape architects may, in accordance with the provisions of NRS 623.349,}~~ **professional land surveyors may** join or form a partnership, corporation, limited-liability company or other business organization or association with registrants and licensees outside of their field of practice, or with persons who are not registered or licensed.

5. The provisions of this section do not apply to a firm, partnership, corporation or other person who:

(a) Practices professional engineering for his benefit and does not engage in the practice of professional engineering or offer professional engineering services to other persons; or

(b) Is engaged in the practice of professional engineering or land surveying in offices established for limited or temporary purposes, including offices established for the convenience of field survey crews or offices established for inspecting construction.

Sec. 25. Section 39 of chapter 512, Statutes of Nevada 1995, at page 1705, is hereby amended to read as follows:

Sec. 39. The state board of architecture, interior design and residential design shall issue a certificate of registration to practice interior design to any person who:

1. Submits to the board, not later than December 31, 1999, a form prescribed by the board declaring his intention to apply for a certificate of registration to practice interior design;

2. Is of good moral character and submits to the board : ~~not later than December 31, 2004;~~

(a) An application on a form provided by the board;

(b) The fees required pursuant to NRS 623.310;

(c) Proof which is satisfactory to the board that he has completed at least 2 years of education in a program of interior design or an equivalent number of credits and at least 4 years of experience in interior design or residential interior design; and

(d) A certificate issued by the National Council for Interior Design Qualification as proof that he has passed the examination prepared and administered by that organization; and

3. Complies with the requirements of subsection 3 of NRS 623.200 . ~~not later than December 31, 2004;~~

Sec. 26. A certificate of registration issued to an architect, registered interior designer or residential designer by the state board of architecture, interior design and residential design that expires on December 31, 2002, remains effective until that date.

Sec. 27. This act becomes effective on July 1, 2001.