

SENATE BILL NO. 49—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE STATE BOARD OF ARCHITECTURE,
INTERIOR DESIGN AND RESIDENTIAL DESIGN)

PREFILED DECEMBER 5, 2008

Referred to Committee on Commerce and Labor

SUMMARY—Creates a requirement for a written contract between a client and an architect, registered interior designer or residential designer under certain circumstances. (BDR 54-353)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to design professions; creating a requirement for a written contract for professional services between a client and an architect, registered interior designer or residential designer in certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 1** of this bill requires that a written contract containing certain
2 provisions be executed between an architect, registered interior designer or
3 residential designer and a client before any professional services are provided.
4 **Section 1** also allows professional services to be provided before execution of a
5 contract if the client agrees in writing and allows professional services to be
6 provided without a contract in certain circumstances.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 623 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. Except as otherwise provided in this section, an architect,***
4 ***registered interior designer or residential designer shall execute a***



* S B 4 9 R 1 *

1 written contract with a client before providing professional
2 services to the client.

3 2. A contract created pursuant to subsection 1 must contain,
4 but is not limited to, the following:

5 (a) A description of the services to be provided to the client by
6 the architect, registered interior designer or residential designer;

7 (b) A description of the basis for compensation and the method
8 of payment;

9 (c) The name, address and certificate number of the architect,
10 registered interior designer or residential designer and the name
11 and address of the client;

12 (d) A description of the procedure that the architect, registered
13 interior designer or residential designer and the client will use to
14 accommodate additional services;

15 (e) A statement identifying the ownership or reuse of
16 documents prepared by the architect, registered interior designer
17 or residential designer; and

18 (f) A description of the procedure to be used by either party to
19 terminate the contract.

20 3. An architect, registered interior designer or residential
21 designer may provide professional services to a client before the
22 execution of a written contract only if the client agrees in writing
23 that a written contract is not needed before work begins.

24 4. A contract created pursuant to subsection 1 is not required
25 for professional services rendered by an architect, registered
26 interior designer or residential designer:

27 (a) For which the client will not pay compensation;

28 (b) When, after full disclosure of the requirements of this
29 section, the client agrees in writing that a contract meeting the
30 requirements of subsection 1 is not required; or

31 (c) To a person who holds a certificate of registration as a
32 landscape architect pursuant to chapter 623A of NRS or a person
33 who is licensed as a professional engineer pursuant to chapter 625
34 of NRS.

35 **Sec. 2.** This act becomes effective upon passage and approval.

