

# Senate Bill 220

Sponsored by Senator DINGFELDER (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires architect subcontracting work to registered professional engineer to have written contract.

Makes failure of architect to timely pay employee or subcontractor for services without good cause grounds for licensing sanctions.

## A BILL FOR AN ACT

1  
2 Relating to architects; creating new provisions; and amending ORS 671.090.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS 671.010 to**  
5 **671.220.**

6 **SECTION 2. An architect who subcontracts work to a registered professional engineer**  
7 **must enter into a written contract with the engineer that sets forth the terms of the sub-**  
8 **contract, including but not limited to the specific services to be performed by the engineer,**  
9 **the amount the engineer is to be paid for the services and the time for making payment to**  
10 **the engineer for the services.**

11 **SECTION 3. ORS 671.090 is amended to read:**

12 671.090. The State Board of Architect Examiners may refuse to grant, reinstate or renew, or  
13 may suspend or revoke, a certificate of registration to practice architecture in this state upon proof  
14 of one or more of the following grounds:

15 (1) Using fraud or deception in applying for a certificate of registration or in passing an exam-  
16 ination as provided in ORS 671.010 to 671.220.

17 (2) Falsely impersonating a practitioner or former practitioner.

18 (3) Practicing under an assumed, fictitious, or a corporate name contrary to the provisions of  
19 ORS 671.010 to 671.220.

20 (4) Demonstrating fraud, deceit, gross negligence, incompetency or misconduct in the practice  
21 of architecture.

22 (5) Willfully evading or attempting to evade any law, ordinance, code or regulation of the state,  
23 or counties and cities of this state, governing construction of buildings.

24 (6) Stamping or signing any plans, specifications or drawings that were not prepared by the ar-  
25 chitect or under the architect's direct control and supervision.

26 (7) Unbeknown to a party for whom the architect is doing work, receiving rebates, commissions,  
27 grants of moneys or favors which the architect is not entitled to or justified in receiving.

28 **(8) Without good cause, failing to timely pay an employee or subcontractor for services.**

29 [(8)] **(9) Practicing contrary to the provisions and requirements of ORS 671.010 to 671.220.**

30 [(9)] **(10) Failing to comply with any continuing education requirements adopted by the board**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 under ORS 671.125, unless the requirements have been waived by the board.

2 ~~[(10)] (11)~~ Being convicted of any crime under circumstances that relate to the practice of ar-  
3 chitecture.

4 ~~[(11)] (12)~~ Being the subject of disciplinary action taken by another jurisdiction.

5 **SECTION 4. Section 2 of this 2011 Act applies to work that an architect subcontracts to**  
6 **a registered professional engineer on or after the effective date of this 2011 Act.**

7 **SECTION 5. The amendments to ORS 671.090 by section 3 of this 2011 Act apply to pay-**  
8 **ment for services that becomes due on or after the effective date of this 2011 Act.**

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