

January 22, 1963.  
Motor Vehicles, Commerce  
and Trade.

House File 39  
By VERMEER, PRINE, HAGEDORN,  
KNOCK, RILEY and DIETZ.

Passed House, Date 2-27-63

Passed Senate, Date.....

Vote: Ayes 79 Nays 24

Vote: Ayes..... Nays.....

Approved.....

*Passed on file 2/28  
Manufacture, Commerce &  
Trade 2/28  
Passed amended 4/5*

## A BILL FOR

An Act to regulate the practice of architecture and to amend chapter one hundred eighteen (118), Code of 1962.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 Section 1. Chapter one hundred eighteen (118), Code 1962, is
- 2 hereby amended by adding the following new sections as follows:
- 3 1. "It shall be unlawful for any person to practice or to
- 4 offer to practice architecture in this state or use in connection
- 5 with his name, or to otherwise assume, use or advertise any title
- 6 or description tending to convey the impression that he is an
- 7 architect unless such person is qualified by registration as
- 8 herein provided."
- 9 2. "The practice of architecture includes any professional
- 10 service, such as consultation, investigation, evaluation, planning,
- 11 and design, or responsible supervision of construction, in connec-
- 12 tion with the construction of buildings, or related structures
- 13 and projects, or the addition to or alteration thereof, wherein
- 14 the safeguarding of life, health, or property is concerned or
- 15 involved."
- 16 3. "The provisions of this chapter shall not apply to:
- 17 a. Professional engineers registered under chapter one
- 18 hundred fourteen (114) of the Code;
- 19 b. Persons acting under the instruction, control, or super-
- 20 vision of, and those executing the plans of, a registered architect;

21 c. Superintendents, inspectors, foremen and building trades  
22 craftsmen while performing their customary duties.”

23 4. “Nothing contained in this chapter shall prevent persons  
24 from performing those services enumerated herein in connection  
25 with any of the following:

26 a. Buildings for not more than two families and outbuildings  
27 in connection therewith;

28 b. Buildings used primarily for agricultural purposes;

29 c. Nonstructural alterations to existing buildings not  
30 otherwise excluded;

31 d. Warehouses, light industrial and commercial buildings  
32 less than two stories in height.”

33 5. “Any person who practices or offers to practice archi-  
34 tecture or who uses the word architect or any word or any letters  
35 or figures indicating or tending to imply that the person using  
36 the same is an architect, without first having complied with the  
37 provisions of this chapter, shall be deemed guilty of a misdemeanor  
38 and shall be punished with a fine of not more than two hundred  
39 dollars or imprisonment for not more than one year, or both such  
40 fine and imprisonment.”

41 6. “In addition to any other remedies, and on the petition  
42 of the board of any person, any violations of this chapter may  
43 be restrained and permanently enjoined.”

1 Sec. 2. Section one hundred eighteen point eight (118.8),  
2 Code 1962, is hereby amended by striking lines six (6) and seven  
3 (7) of subsection one (1) and inserting in lieu thereof the  
4 following: “three years satisfactory experience under the  
5 direction of a registered architect”.

1 Sec. 3. Section one hundred eighteen point eleven (118.11),

2 Code 1962, is hereby amended as follows:

3 1. By striking from line eight (8) thereof the word "ten"  
4 and inserting in lieu thereof the word "fifteen".

5 2. By striking from lines thirteen (13) and fourteen (14)  
6 thereof the following: ", which shall be continued from year to  
7 year,".

8 3. By adding thereto the following: "Any balance remaining  
9 in such fund at the end of each fiscal year in excess of fifteen  
10 thousand dollars or the expenses of the board of such fiscal  
11 year, whichever sum is the larger, shall be paid into the general  
12 fund of the state."

1 Sec. 4. Section one hundred eighteen point six (118.6), Code  
2 1962, as hereby repealed.

1 Sec. 5. Section one hundred eighteen point seven (118.7), Code  
2 1962, is hereby repealed.

1 Sec. 6. Section one hundred eighteen point fourteen (118.14),  
2 Code 1962, is hereby repealed.

1 Sec. 7. If any provisions of this Act, or the application of  
2 such provisions to any persons or circumstances, shall be held  
3 invalid, the remainder of this Act, or the application of such  
4 provisions to persons or circumstances other than those to which  
5 it is invalid, shall not be thereby affected.

EXPLANATION OF HOUSE FILE 39

Chapter 118 of the Code purports to protect the public from untrained persons assuming the title of architect. This protection was avoided by a recent Supreme Court decision. This bill would restore this protection and would also make it unlawful for unregistered persons to practice architecture as well as assume the title.

1 Amend House File 39, section one (1), subsection four (4), line  
2 twenty-four (24) by striking the word "herein" and inserting  
3 in lieu thereof the words "in this chapter".

4 Further amend House File 39, section one (1), subsection four (4),  
5 paragraph a. by striking from line twenty-six (26) the word  
6 "two" and inserting in lieu thereof the word "four".

Filed  
February 7, 1963.

COMMITTEE ON MOTOR VEHICLES,  
COMMERCE AND TRADE,  
WILLIAM E. DARRINGTON, *Chairman.*

*Adopted  
as amended 2/15*

- 1 Amend House File 39 by striking all of Section five
- 2 (5) and renumbering the remaining sections.

Filed  
February 11, 1963.

*Withdrawn 2/15*

REPPERT of Polk.  
LOSS of Kossuth.

- 1 Amend the amendment to House File 39 filed by the
- 2 committee on motor vehicles, commerce and trade on
- 3 February 7, 1963, by striking the last two lines thereof
- 4 and inserting in lieu thereof the following: "by striking
- 5 all of paragraph a. and inserting in lieu thereof the
- 6 following: "a. Residential buildings, apartment buildings
- 7 and outbuildings in connection therewith."

Filed  
February 14, 1963.

VERMEER of Marion.

*Adopted 2/15/63*

- 1 Amend House File 39, section one (1), line thirty-two
- 2 (32), by striking the word "less" and inserting in lieu
- 3 thereof the words "not more".

Filed  
February 14, 1963.

VERMEER of Marion.

*Adopted 2/15/63*

#### HOUSE FILE 39

- 1 House File 39 is hereby amended by adding thereto the
- 2 following section preceding the last section:
- 3 Section one hundred eighteen point seven (118.7), Code
- 4 1962, is hereby amended by striking the period in line six
- 5 (6) and inserting the following:
- 6 "and provided further that the safeguarding of life,
- 7 health or property is not concerned or involved."

Filed  
February 20, 1963.

*Lost 2/27*

VERMEER of Marion.

#### HOUSE FILE 39

- 1 Amend House File 39 by striking all of section five (5)
- 2 and renumbering the remaining sections.

Filed and adopted  
February 15, 1963.

KREAGER of Jasper.

- 1 Amend House File 39 by inserting after Section 4 the
- 2 following:
- 3 Section one hundred eighteen point seven (118.7), Code
- 4 1962, is hereby repealed and the following enacted in lieu
- 5 thereof:
- 6 "Nothing contained in this chapter shall prevent any person
- 7 from assembling or erecting prefabricated buildings or from
- 8 re-executing plans and specifications first executed prior
- 9 to the effective date of this Act, or from re-executing plans
- 10 and specifications prepared by an architect or engineer."

Filed  
February 26, 1963.

*Withdrawn 2/27*

DIETZ of Scott.

#### HOUSE FILE 39

- 1 Amend House File 39, section 1, line thirty-one (31)
- 2 by inserting before the word "light" the word "churches,".

Filed, offered and deferred  
April 15, 1963.

GRAHAM of Ida.

Amend House File 39 as follows:

- 2 1. By adding as section 7 the following:
- 3 "Sec. 7. Section one hundred eighteen point seven (118.7),
- 4 Code 1962, is hereby amended by striking from line 5 the words
- 5 'or others'."

Filed  
April 5, 1963.

By COMMITTEE ON MANUFACTURING,  
COMMERCE AND TRADE,  
VERN LISLE, *Chairman.*