

**IC 25-4**

**ARTICLE 4. ARCHITECTS**

**IC 25-4-1**

**Chapter 1. Regulation of Architects Generally – Creation of Board**

**IC 25-4-1-1**

**Repealed**

*(Repealed by Acts 1978, P.L.2, SEC.2570.)*

**IC 25-4-1-2**

**Board of registration**

Sec. 2. (a) There is hereby created and established a board of registration for architects and landscape architects, which shall consist of eight (8) members, who shall be appointed by the governor and who shall serve at the will and pleasure of the governor. All appointments shall be made for terms of three (3) years, ending on December 31. In any case, each member shall serve for the term for which the member shall have been appointed and until the member's successor shall have been appointed and shall have qualified. Any vacancy which may occur in membership of the board for any cause shall be filled by appointment by the governor for the unexpired term. Each member of the board shall be entitled to receive as compensation for the member's services a salary per diem for each and every day the member may be engaged in attending the meetings or transacting the business of the board; in addition thereto each member shall be entitled to receive as reimbursement all traveling and other necessary expenses incurred in the performance of the member's duties as a member of the board in accordance with travel policies and procedures established by the department of administration and the state budget agency.

(b) Each member of the board shall be a citizen of the United States of America and a resident of the state of Indiana. Five (5) of the members must be registered architects under this chapter and shall have had at least ten (10) years of active architectural practice preceding the member's appointment.

(c) Two (2) members of the board must be registered landscape architects under this chapter and must have at least ten (10) years of active landscape architectural practice preceding the member's appointment.

(d) One (1) member of the board, to represent the general public, shall be a resident of this state who has never been associated with the architecture or landscape architecture profession in any way other than as a consumer.

*(Formerly: Acts 1929, c.62, s.2; Acts 1945, c.56, s.1; Acts 1961, c.331, s.1.) As amended by Acts 1976, P.L.119, SEC.1; Acts 1981, P.L.225, SEC.1; Acts 1982, P.L.113, SEC.24; P.L.82-2000, SEC.7.*

**IC 25-4-1-3**

### **Organization and government of board**

Sec. 3. The board shall organize by the election of a chairman and vice chairman, each of whom shall serve for a term of one (1) year. The first meeting of the board shall be held within thirty (30) days after the members thereof shall have been appointed, on call of the chairman of the board. Thereafter, the board shall hold at least two (2) regular meetings each year and may hold such special meetings, as the board in its discretion considers necessary or advisable. The time for holding the regular meetings, the method of calling special meetings and the manner of giving notice of all meetings shall be prescribed in the bylaws of the board. Five (5) members of the board shall constitute a quorum for the transaction of any and all business which may come before the board. Approval by a majority of all members of the board shall be required for action to be taken. The board shall adopt official seals representing the different professions that shall be affixed to all certificates of registration granted and issued as provided in this chapter. Subject to the approval of the governor, the board is hereby authorized to make bylaws and prescribe and promulgate rules as considered necessary in the performance of its duty. The board shall adopt rules establishing standards for the competent practice of architecture and landscape architecture, and for the administration of the registered architects and registered landscape architects investigative fund established by section 32 of this chapter. Suitable office quarters shall be provided for the use of the board in the city of Indianapolis.

*(Formerly: Acts 1929, c.62, s.3; Acts 1945, c.56, s.2; Acts 1961, c.331, s.2.) As amended by Acts 1977, P.L.172, SEC.5; Acts 1981, P.L.222, SEC.27; Acts 1982, P.L.113, SEC.25; P.L.82-2000, SEC.8; P.L.194-2005, SEC.11.*

### **IC 25-4-1-3.3**

#### **Treatment of rules adopted before July 1, 2000**

Sec. 3.3. The rules adopted by the board of registration for architects before July 1, 2000, are considered, after June 30, 2000, to be rules of the board of registration for architects and landscape architects.

*As added by P.L.220-2011, SEC.406.*

### **IC 25-4-1-4**

#### **Duties of attorney general; injunction; use of investigative fund**

Sec. 4. The board shall be entitled to the services of the attorney general in connection with any of the business of the board. The board shall have the power to administer oaths and take testimony and proofs concerning any matter which may come within its jurisdiction. The attorney general, the prosecuting attorney of any county, the board, or a citizen of a county wherein any person, not herein exempted, shall engage in the practice of architecture or landscape architecture, as herein defined, without first having obtained a certificate of registration, or without first having renewed an expired certificate of registration, so to practice, may, in

accordance with the provisions of the laws of this state governing injunctions, maintain an action, in the name of the state of Indiana, to enjoin such person from engaging in the practice of architecture or landscape architecture, as herein defined, until a certificate of registration is secured, or renewed, in accordance with the provisions of this chapter. Any person who has been so enjoined and who violates the injunction shall be punished for contempt of court. The injunction shall not relieve such person so practicing architecture or landscape architecture without a certificate of registration, or without first having renewed an expired certificate of registration, from a criminal prosecution therefor, as is provided by this chapter, but such remedy by injunction shall be in addition to any remedy provided for herein for the criminal prosecution of such offender. In charging any person in a complaint for an injunction, or in an affidavit, information or indictment, with the violation of the provisions of this chapter, by practicing architecture or landscape architecture without a certificate of registration or without having renewed an expired certificate of registration, it shall be sufficient to charge that the person did upon a certain day and in a certain county engage in the practice of architecture or landscape architecture, without having a certificate of registration or without having renewed an expired certificate of registration, to so practice, without averring any further or more particular facts concerning the same. The attorney general and the Indiana professional licensing agency may use the registered architects and registered landscape architects investigative fund established by section 32 of this chapter to hire investigators and other employees to enforce the provisions of this article and to investigate and prosecute violations of this article.

*(Formerly: Acts 1929, c.62, s.4; Acts 1935, c.252, s.1.) As amended by Acts 1982, P.L.154, SEC.10; P.L.82-2000, SEC.9; P.L.194-2005, SEC.12.*

#### **IC 25-4-1-5**

##### **Repealed**

*(Repealed by Acts 1981, P.L.222, SEC.296.)*

#### **IC 25-4-1-6**

##### **Application for certificate of registration**

Sec. 6. (a) A person desiring to engage in the practice of architecture:

- (1) shall apply to the board for a certificate of registration in compliance with this chapter;
- (2) shall submit evidence to the board that the person is qualified to engage in the practice of architecture in compliance with the requirements of this chapter, including evidence that the person:
  - (A) graduated with a professional degree from a school or college of architecture accredited by the National Architectural Accrediting Board, Inc., or its successor;
  - (B) successfully completed the required examination; and

- (C) successfully completed the intern development program required under section 7.5 of this chapter; and
- (3) must not have been convicted of:
  - (A) an act that would constitute a ground for disciplinary sanction under IC 25-1-11; or
  - (B) a felony that has direct bearing on the applicant's ability to practice competently.
- (b) The application for a certificate of registration shall be:
  - (1) made on a form prescribed and furnished by the board;
  - (2) verified; and
  - (3) accompanied by a fee established by the board under IC 25-1-8-2.

*(Formerly: Acts 1929, c.62, s.6.) As amended by Acts 1982, P.L.154, SEC.11; P.L.194-2005, SEC.13; P.L.105-2008, SEC.9.*

#### **IC 25-4-1-7**

##### **Educational qualifications and requirements for examination**

Sec. 7. Any person who is at least eighteen (18) years of age shall be qualified for an examination for a certificate of registration as a registered architect, if the individual has graduated with a professional degree from a school or college of architecture accredited by the National Architectural Accrediting Board, Inc., or its successor.

*(Formerly: Acts 1929, c.62, s.7; Acts 1961, c.331, s.4; Acts 1969, c.380, s.1; Acts 1973, P.L.252, SEC.2.) As amended by Acts 1981, P.L.222, SEC.28; Acts 1982, P.L.113, SEC.26; P.L.214-1993, SEC.7; P.L.1-1994, SEC.123; P.L.105-2008, SEC.10.*

#### **IC 25-4-1-7.5**

##### **Intern development program**

Sec. 7.5. An applicant for a certificate of registration under this chapter shall furnish evidence that the applicant has successfully completed an intern development program. The intern development program must:

- (1) provide practical, supervised experience in the practice of architecture; and
- (2) meet all other requirements established by the board in rules adopted under IC 4-22-2.

*As added by P.L.105-2008, SEC.11.*

#### **IC 25-4-1-8**

##### **Out-of-state applicants**

Sec. 8. (a) As used in this section, "out-of-state applicant" means an individual who is an architect registered or licensed under the laws of another state, a foreign country, or a province in a foreign country and who is an applicant for a certificate of registration as a registered architect.

(b) This section applies only to an out-of-state applicant.

(c) The board shall grant a certificate of registration to an out-of-state applicant upon the following conditions:

- (1) The out-of-state applicant must be at least eighteen (18) years of age.
  - (2) The out-of-state applicant's registration in the other jurisdiction is valid and in good standing.
  - (3) The out-of-state applicant must have passed the examination required in the other state, or the equivalent offered in the other state, at the time the out-of-state applicant was registered in the other state.
  - (4) The out-of-state applicant has not been convicted of:
    - (A) an act that would constitute a ground for disciplinary sanction under IC 25-1-11; or
    - (B) a felony that has a direct bearing on the applicant's ability to practice competently.
  - (5) If registered in the other jurisdiction after June 30, 1979, the out-of-state applicant must:
    - (A) have met the requirements specified by section 6 of this chapter; or
    - (B) have at least seven (7) years of experience as a registered architect and have:
      - (i) a bachelor's degree in a design discipline; or
      - (ii) a combination of training and experience that the board finds to be equivalent to a bachelor's degree in a design discipline.
  - (6) If registered in the other jurisdiction before July 1, 1979, the out-of-state applicant must have met the education and work experience requirements in effect in Indiana when the out-of-state applicant was registered in the other jurisdiction.
  - (7) The out-of-state applicant must pay fees established by the board.
- (d) If an out-of-state applicant does not meet the examination requirements under subsection (c)(3), the board may require the out-of-state applicant to pass a written examination to achieve equivalence to the examination required in Indiana at the time the out-of-state applicant was registered in the other jurisdiction.
- (Formerly: Acts 1929, c.62, s.8; Acts 1973, P.L.252, SEC.3.) As amended by Acts 1981, P.L.222, SEC.29; Acts 1982, P.L.113, SEC.27; P.L.251-1983, SEC.1; P.L.242-1985, SEC.1; P.L.214-1993, SEC.8; P.L.1-1994, SEC.124; P.L.173-1996, SEC.6; P.L.105-2008, SEC.12.*

#### **IC 25-4-1-9**

##### **Examinations of applicants**

Sec. 9. The board shall adopt rules under IC 4-22-2 concerning the scope and subject matter for the examination of applicants for certificates of registration as registered architects. The examination must be a written test of the applicant's competency to plan, design, specify, and supervise architectural projects. The examination must include the following subjects:

- (1) The planning, specifying, designing, and construction of buildings.

- (2) The strength of building materials.
- (3) The principles of sanitation and ventilation as applied to buildings.
- (4) The ability of the applicant to make practical application of his knowledge in the ordinary professional work of an architect.

The board may require the written examination to be supplemented by oral examinations.

*(Formerly: Acts 1929, c.62, s.9.) As amended by P.L.173-1996, SEC.7.*

#### **IC 25-4-1-10**

##### **Issuance of certificate of registration**

Sec. 10. Whenever the provisions of this act have been complied with by an applicant, the board shall issue a certificate of registration to the applicant as a registered architect, which certificate shall have the effect of a license to the person to whom it is issued to practice architecture in this state, subject to the provisions of this act.

*(Formerly: Acts 1929, c.62, s.10.)*

#### **IC 25-4-1-11**

##### **Exemption from statutes regulating practice of engineering**

Sec. 11. Any person licensed to practice architecture in this state, or registered as an architect under this chapter, shall be exempt from the provisions of any and all statutes in force in this state regulating the practice of engineering: provided further, that no provision of this chapter shall apply to or affect any individual, firm, limited liability company, or corporation registered as a professional engineer under provisions of IC 25-31-1. An engineer, however, who is registered under the laws of this state, and exempted from the provisions of this chapter, shall not use the designation "architect" in any form or manner unless and until he shall be registered under the provisions of this chapter.

*(Formerly: Acts 1929, c.62, s.11; Acts 1961, c.331, s.5.) As amended by Acts 1982, P.L.154, SEC.12; P.L.8-1993, SEC.373.*

#### **IC 25-4-1-12**

##### **Issuance of certificate; applicable sections**

Sec. 12. The board shall issue certificates of registration only as provided in sections 7, 8, 9 and 10 of this chapter.

*(Formerly: Acts 1929, c.62, s.12.) As amended by Acts 1981, P.L.222, SEC.30.*

#### **IC 25-4-1-13**

##### **Display of certificate; seal**

Sec. 13. Every holder of a certificate of registration as a registered architect shall display such certificate in a conspicuous place in his principal office, place of business or place of employment.

Every registered architect shall have a seal or design authorized by the board, the impression of which shall contain the name of the architect and the words, "registered architect", "state of Indiana". He

shall stamp with this seal all working drawings, reports, and specifications prepared by him or under his supervision.

*(Formerly: Acts 1929, c.62, s.13.)*

#### **IC 25-4-1-14**

##### **Renewal of certificate; failure to renew; reinstatement; fees**

Sec. 14. (a) Every registered architect who continues in active practice shall, biennially, on or before the date established by the licensing agency under IC 25-1-6-4, renew the registered architect's certificate of registration and pay the required renewal fee.

(b) An architect registered or licensed in Indiana who has failed to renew the architect's certificate of registration for a period of not more than five (5) years may have the certificate of registration reinstated by meeting the requirements of IC 25-1-8-6(c).

(c) An architect registered in Indiana who has failed to renew the architect's certificate of registration for more than five (5) years may have the certificate of registration reinstated by satisfying the requirements for reinstatement under IC 25-1-8-6(d).

(d) If any registered architect desires to retire from the practice of architecture in Indiana, the architect may submit to the board the architect's verified statement of intention to withdraw from practice. The statement shall be entered upon the records of the board. During the period of the architect's retirement, the architect is not liable for any renewal or restoration fees.

(e) If any retired architect desires to return to the practice of architecture in Indiana, the retired architect must meet the following requirements:

(1) If the certificate of registration has been expired for not more than five (5) years, the retired architect must:

- (A) file with the board a verified statement indicating the architect's desire to return to the practice of architecture; and
- (B) pay a renewal fee equal to the fee set by the board to renew an unexpired registration under this chapter.

(2) If the certificate of registration has been expired for more than five (5) years, the retired architect must:

- (A) file with the board a verified statement indicating the architect's desire to return to the practice of architecture;
- (B) pay a renewal fee equal to the fee set by the board to renew an unexpired registration under this chapter; and
- (C) complete remediation and additional training established by the board based on the length of time the certificate of registration has been expired.

*(Formerly: Acts 1929, c.62, s.14; Acts 1943, c.217, s.1.) As amended by Acts 1981, P.L.222, SEC.31; Acts 1982, P.L.113, SEC.28; P.L.242-1985, SEC.2; P.L.194-2005, SEC.14; P.L.157-2006, SEC.21; P.L.105-2008, SEC.13.*

#### **IC 25-4-1-15**

##### **Repealed**

*(Repealed by Acts 1981, P.L.222, SEC.296.)*

#### **IC 25-4-1-15.1**

##### **Repealed**

*(Repealed by P.L.214-1993, SEC.91.)*

#### **IC 25-4-1-16**

##### **Fees**

Sec. 16. (a) The fee to be paid by an applicant for an examination to determine the applicant's fitness to receive a certificate of registration as a registered architect shall be established by the board under IC 25-1-8-2.

(b) The fee to be paid by an applicant for a certificate of registration as a registered architect shall be established by the board under IC 25-1-8-2.

(c) The fee to be paid for the restoration of an expired certificate of registration as a registered architect shall be established under IC 25-1-8-6. The restoration fee shall be in addition to all unpaid renewal fees.

(d) The fee to be paid upon renewal of a certificate of registration shall be established by the board under IC 25-1-8-2.

(e) The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States, or of a foreign country or province, shall be established by the board under IC 25-1-8-2.

(f) In addition to the registration fees established under this section, the board shall establish a fee of not more than twenty dollars (\$20) for registered architects and registered landscape architects to be paid at the time of:

- (1) issuance of a certificate of registration; and
- (2) renewal of a certificate of registration;

under this article to provide funds for administering and enforcing this article, including investigating and taking action against persons violating this article. All funds collected under this subsection shall be deposited into the registered architects and registered landscape architects investigative fund established by section 32 of this chapter. *(Formerly: Acts 1929, c.62, s.16; Acts 1943, c.217, s.2.) As amended by P.L.194-2005, SEC.15; P.L.177-2006, SEC.1; P.L.157-2006, SEC.22; P.L.1-2007, SEC.168.*

#### **IC 25-4-1-17**

##### **Acts constituting practice of architecture**

Sec. 17. The practice of architecture is the performance of professional services embracing the safe, healthful, scientific, aesthetic or orderly coordination of the planning, designing, erection, alteration or enlargement of any public or private building or buildings, structure or structures, project or projects, or any part thereof, or the equipment or utilities thereof or the accessories thereto, when such professional services require the application of the art and science of construction based upon the principles of



mathematics, aesthetics, or the physical science acquired by education or training, and when such services are performed through the media of consultation, evaluation, investigation, preliminary study, plans, specifications, contract documents, or supervision of construction. Any one (1), or any combination of the foregoing services by a person shall constitute the practice of architecture. A building is any structure consisting of foundation, floors, walls, columns, girders, beams and roof, or a combination of any number of these parts, with or without other parts and appurtenances thereto. *(Formerly: Acts 1929, c.62, s.17; Acts 1961, c.331, s.6.)*

#### **IC 25-4-1-18**

##### **Employees under direction of architect; exempt buildings**

Sec. 18. Nothing contained in this chapter shall prevent the draftsmen, students, clerks of works, superintendents, and other employees of those lawfully practicing as registered architects, under the provisions of this chapter, from acting under the instruction, control, or supervision of their employers, or to prevent the employment of superintendents of the construction, enlargement, or alteration of buildings, or any parts thereof, or prevent such superintendents from acting under the immediate personal supervision of the registered architect by whom the plans and specifications of any building, enlargement, or alteration were prepared. Nor shall anything contained in this chapter apply to the making of plans or specifications or the supervision of construction, enlargement or alteration of buildings or any parts thereof specifically exempted from the rules of the fire prevention and building safety commission or specifically exempted from the fire prevention and building safety commission requirements for preparation of such plans and specifications by registered architects or registered engineers.

*(Formerly: Acts 1929, c.62, s.18; Acts 1935, c.252, s.3; Acts 1961, c.331, s.7; Acts 1969, c.380, s.2.) As amended by Acts 1982, P.L.154, SEC.13; P.L.8-1984, SEC.117.*

#### **IC 25-4-1-19**

##### **Expenses of administration; payment**

Sec. 19. All expenses incurred in the administration of this chapter shall be paid from the general fund upon appropriation being made therefor in the manner provided by law for the making of such appropriations.

*(Formerly: Acts 1929, c.62, s.19; Acts 1935, c.252, s.4; Acts 1961, c.331, s.8.) As amended by Acts 1976, P.L.119, SEC.2; Acts 1981, P.L.222, SEC.33.*

#### **IC 25-4-1-20**

##### **Record of proceedings**

Sec. 20. The board shall keep a record of its proceedings, and a register of all applicants for registration, showing the date of application, the name, age and other qualifications and the place of

business and the place of residence of each applicant and whether or not an examination was required and whether the applicant was rejected or a certificate of registration granted and issued and the date of such action.

*(Formerly: Acts 1929, c.62, s.20.)*

#### **IC 25-4-1-21**

##### **Repealed**

*(Repealed by P.L.132-1984, SEC.55.)*

#### **IC 25-4-1-22**

##### **"Board" defined**

Sec. 22. Except where the context clearly indicates a different meaning, the following terms, as used in this chapter, shall be construed to have the meaning hereinafter indicated:

The term "board" shall be construed to mean the board of registration for architects and landscape architects.

*(Formerly: Acts 1929, c.62, s.22.) As amended by Acts 1982, P.L.154, SEC.14; P.L.8-1984, SEC.118; P.L.82-2000, SEC.10.*

#### **IC 25-4-1-23**

##### **Construction of chapter**

Sec. 23. As this chapter is designed to safeguard life, health and property, the provisions thereof shall be construed liberally to achieve the purpose desired.

*(Formerly: Acts 1929, c.62, s.23.) As amended by Acts 1982, P.L.154, SEC.15.*

#### **IC 25-4-1-24**

##### **Severability clause**

Sec. 24. In the event that any section, clause or provision of this chapter shall be declared unconstitutional, such invalidity shall not affect those provisions of this chapter not declared unconstitutional.

*(Formerly: Acts 1929, c.62, s.24.) As amended by Acts 1982, P.L.154, SEC.16.*

#### **IC 25-4-1-25**

##### **Public inspection of records**

Sec. 25. The board shall keep a record open to public inspection at all reasonable times of its proceedings relating to the issuance, refusal, renewal, suspension or revocation of certificates of registration. This record shall also contain the name, place of business and residence, and the date and number of registration of each registered architect and landscape architect in this state.

*(Formerly: Acts 1929, c.62, s.25.) As amended by P.L.82-2000, SEC.11.*

#### **IC 25-4-1-26**

##### **Offenses**

Sec. 26. Each of the following acts is a Class C infraction and

each day's violation constitutes a separate offense:

(1) The practice of architecture by any person or the advertising or putting out of any sign or card or other device which might indicate to the public that he is entitled to practice as an architect, without a certificate of registration as a registered architect issued by the board.

(2) The affixing of a registered architect's seal to any plans, specifications or drawings which have not been prepared by him or under his immediate personal supervision.

(3) The violation of section 13 of this chapter.

*(Formerly: Acts 1929, c.62, s.26.) As amended by Acts 1978, P.L.2, SEC.2509.*

#### **IC 25-4-1-27**

##### **Right of corporations and partnerships to engage in practice**

Sec. 27. No firm, partnership or corporation shall engage in the practice of architecture unless the work is under the full authority and responsible charge of a registrant who is also a principal of the firm, or partnership or officer of the corporation. The name of said registrant shall appear whensoever the firm name is used in the professional practice of the firm, partnership or corporation.

*(Formerly: Acts 1929, c.62, s.27; Acts 1961, c.331, s.9.)*

#### **IC 25-4-1-28**

##### **Short title**

Sec. 28. This chapter shall be known and cited as "The Indiana Architectural and Landscape Architectural Act".

*(Formerly: Acts 1929, c.62, s.28.) As amended by Acts 1982, P.L.154, SEC.17; P.L.82-2000, SEC.12.*

#### **IC 25-4-1-29**

##### **Necessity of plans or specifications prepared by registered architect**

Sec. 29. (a) Except as hereinafter otherwise provided, the state of Indiana, nor any board, department or agency thereof, nor any county, city, town, township, school corporations, or other political subdivision of this state shall engage in the construction, alteration, or maintenance of any public building or public work involving the practice of architecture for which plans, specifications and estimates have not been prepared, certified, and sealed by, and the construction, alteration, or maintenance executed under the direct supervision of an architect, which architect shall be the holder in good standing of a certificate of registration from the board of registration for architects and landscape architects entitling him to practice architecture in this state.

(b) No official of this state, nor of any city, town, county, township, or school corporation thereof, charged with the enforcement of any law, ordinance, or rule relating to the construction or alteration of buildings or structures, shall use or accept or approve any plans or specifications that have not been

prepared by, or under the supervision of, and certified by a registered architect. This subsection shall not apply if such plans or specifications have been prepared by, or under the supervision of and certified by a professional engineer who is registered under the laws of the state of Indiana. This subsection shall not apply to the construction or alteration of any building or structures specifically exempted from the rules of the fire prevention and building safety commission or specifically exempted from the fire prevention and building safety commission requirements for preparation of such plans and specifications by registered architects or registered engineers. This section shall not be construed as to abridge, or otherwise affect, the powers of the fire prevention and building safety commission, or any other state board or department, to issue rules governing the safety of buildings or structures.

*(Formerly: Acts 1929, c.62, s.29; Acts 1961, c.331, s.10; Acts 1969, c.380, s.3.) As amended by P.L.8-1984, SEC.119; P.L.1-2001, SEC.30.*

#### **IC 25-4-1-30**

##### **Reexamination; extension of time**

Sec. 30. The board of registration of architects must grant an extension for a total time of not less than eight (8) years for an applicant to complete any section or division of a reexamination given under section 9 of this chapter if the applicant was unable to meet the original final date established by the board to take reexaminations due to a disability or medical condition that substantially interferes with the applicant's ability to take the examination.

*As added by P.L.216-1993, SEC.1.*

#### **IC 25-4-1-31**

##### **Continuing education and training; requirements**

Sec. 31. (a) The board may adopt rules under IC 4-22-2 to do the following:

- (1) Require continuing education and training for architects.
- (2) Set minimum requirements for continuing education and training for architects.
- (3) Set minimum requirements for continuing education instructors approved by the board.

(b) The rules adopted under this section must require an architect to comply with the following:

- (1) The architect shall provide the board with a sworn statement signed by the architect that the architect has fulfilled the continuing education requirements required by the board.
- (2) The requirements under IC 25-1-4.

*As added by P.L.23-2003, SEC.1. Amended by P.L.157-2006, SEC.23.*

#### **IC 25-4-1-32**

##### **Investigative fund; administration by attorney general and**

**professional licensing agency; appropriation**

Sec. 32. (a) The registered architects and registered landscape architects investigative fund is established to provide funds for administering and enforcing the provisions of this article, including investigating and taking enforcement action against violators of this article. The fund shall be administered by the attorney general and the Indiana professional licensing agency.

(b) The expenses of administering the fund shall be paid from the money in the fund. The fund consists of money from a fee imposed upon registered architects and registered landscape architects under section 16(f) of this chapter.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. If the total amount in the fund exceeds five hundred thousand dollars (\$500,000) at the end of a state fiscal year after payment of all claims and expenses, the amount that exceeds five hundred thousand dollars (\$500,000) reverts to the state general fund.

(e) Money in the fund is continually appropriated for use by the attorney general and the Indiana professional licensing agency to administer and enforce the provisions of this article and to conduct investigations and take enforcement action against persons violating the provisions of this article.

*As added by P.L.194-2005, SEC.16. Amended by P.L.177-2006, SEC.2.*

## **IC 25-4-2**

### **Chapter 2. Landscape Architects Certification**

#### **IC 25-4-2-1**

##### **Definitions; construction of chapter**

Sec. 1. (a) As used in this chapter, "board" means the board of registration for architects and landscape architects as established under IC 25-4-1-2.

(b) As used in this chapter, "landscape architecture" means the practice of professional services such as consultation, investigation, reconnaissance, research, planning, design, or responsible supervision to develop land areas for the dominant purpose of preserving, enhancing, or determining:

- (1) proper land uses;
- (2) natural land features;
- (3) ground cover and planting;
- (4) naturalistic and aesthetic values;
- (5) the settings and approaches to structures or other improvements;
- (6) the natural environment of a facility, an individual building, or other structure;
- (7) site specific natural surface and subsoil drainage systems;
- (8) landscape grading, swales, curbs, and walkways; and
- (9) any inherent problems of the land relating to erosion, overuse, blight, or other hazards.

The term includes the location and arrangement of the proposed tangible objects and features that are incidental and necessary to accomplish the purposes of landscape architecture.

(c) As used in this chapter, "practitioner" means an individual registered as a landscape architect under this chapter.

(d) Except as provided in subsection (b), this chapter does not authorize a practitioner to:

- (1) engage in the design of mechanical lift stations, sewage treatment facilities, sanitary and combined sewers, storm water management projects, public, semi-public, and private utilities, or other structures or facilities with separate and self-contained purposes, if the design work is ordinarily included in the practice of architecture or engineering;
- (2) engage in the design of highways or traffic control devices;
- (3) engage in the scientific analysis of hazardous material contamination;
- (4) engage in topographic mapping or the certification of land surveys or final land plats for official approval or recording;
- (5) otherwise engage in the practice of architecture (as defined in IC 25-4-1);
- (6) otherwise engage in the practice of professional engineering (as defined in IC 25-31);
- (7) engage in the practice of surveying (as defined in IC 25-21.5); or
- (8) engage in the practice of professional geology (as defined in

IC 25-17.6).

(e) This chapter, except section 10(a)(1) and 10(a)(2) of this chapter, does not apply to:

- (1) the practice of landscape architecture by any person who acts under the supervision of a practitioner or by an employee of a person lawfully engaged in the practice of landscape architecture and who, in either event, does not assume responsible charge of design or supervision;
- (2) the practice of architecture or land planning and proper land usage by a duly registered professional architect or the doing of landscape architectural work by a registered architect or by an employee under the supervision of a registered architect;
- (3) the practice of engineering or land planning and proper land usage by a duly registered professional engineer and the doing of landscape architectural work by a registered professional engineer or by an employee under supervision of a registered professional engineer;
- (4) the practice of surveying or land planning and proper land usage by a professional surveyor and the doing of landscape architectural work by a professional surveyor or by an employee under supervision of a professional surveyor;
- (5) the practice of landscape architecture by employees of the United States government while engaged within this state in the practice of landscape architecture for the United States government;
- (6) the practice of planning as is customarily done by regional, park, or urban planners;
- (7) the practice of arborists, foresters, gardeners, turf managers, home builders, horticulturists, farmers, and other similar persons;
- (8) the practice of any nurseryman or general or landscape contractor, including design, planning, location, planting and arrangements of plantings or other ornamental features; or
- (9) the practice of natural resource professionals, including biologists, geologists, or soil scientists.

*As added by Acts 1981, P.L.225, SEC.2. Amended by P.L.242-1985, SEC.3; P.L.23-1991, SEC.11; P.L.82-2000, SEC.13; P.L.57-2013, SEC.31.*

#### **IC 25-4-2-1.5**

##### **Acceptance of landscape architect by state and political subdivisions**

Sec. 1.5. (a) The state and all of the state's political subdivisions shall:

- (1) accept the stamp of a landscape architect when the landscape architect is submitting plans for approval within the scope of practice of landscape architecture; and
- (2) allow the engagement of a landscape architect for work within the scope of practice of landscape architecture.

(b) This section shall not be construed to restrict the practice of

architects, professional engineers, or land surveyors in any way.  
*As added by P.L.82-2000, SEC.14.*

#### **IC 25-4-2-2**

##### **Display of certificate; seal**

Sec. 2. (a) A practitioner shall display the practitioner's certificate of registration in a conspicuous place in the practitioner's principal office, place of business, or employment.

(b) Each practitioner may, upon registration under this chapter, obtain a seal of the design authorized by the board, bearing the name of the practitioner, number of certificate of registration, and the legend "Registered Landscape Architect State of Indiana". The seal may be used only while the practitioner's registration is in effect.

(c) Nothing in this chapter may be construed as authorizing the use or acceptance of the seal of a landscape architect as a substitute for the seal of an architect, engineer, or land surveyor.

*As added by Acts 1981, P.L.225, SEC.2. Amended by P.L.242-1985, SEC.4.*

#### **IC 25-4-2-3**

##### **Qualifications; evidence; examination; issuance of certificate**

Sec. 3. (a) To qualify for registration as a landscape architect, an applicant must:

- (1) submit evidence that the applicant is an individual who is at least eighteen (18) years of age;
- (2) submit evidence that the applicant has:
  - (A) graduated from an accredited curriculum of landscape architecture presented by a college or school approved by the board; or
  - (B) attained before January 1, 2003, at least eight (8) years of actual practical experience in landscape architectural work of a grade and character satisfactory to the board;
- (3) submit evidence that the applicant has paid the examination fee and the application fee set by the board;
- (4) provide an affidavit that indicates that the applicant does not have a conviction for:
  - (A) an act that would constitute a ground for disciplinary action under IC 25-1-11; or
  - (B) a felony that has a direct bearing on the applicant's ability to practice competently;
- (5) pass the examination required by the board under section 4 of this chapter after meeting the requirements in subdivisions (1) through (4); and
- (6) submit evidence that the applicant has at least three (3) years of diversified, actual, and practical experience in landscape architectural work of a grade and character satisfactory to the board.

(b) The board shall issue a certificate of registration under this chapter to an applicant who meets the requirements in this section.

*As added by Acts 1981, P.L.225, SEC.2. Amended by Acts 1982,*



*P.L.113, SEC.29; P.L.242-1985, SEC.5; P.L.214-1993, SEC.9; P.L.82-2000, SEC.15; P.L.194-2005, SEC.17.*

#### **IC 25-4-2-4**

##### **Examinations**

Sec. 4. (a) The board shall adopt rules under IC 4-22-2 covering the subjects and scope of the examinations and covering other functions necessary to comply with this chapter. An applicant for registration as a landscape architect shall establish by written examination the applicant's competency to plan, design, specify, and supervise the installation of landscape architectural projects. The board may require that the written examination be supplemented by oral examinations.

(b) Examinations shall be held at least once a year at a time and place fixed by the board.

*As added by Acts 1981, P.L.225, SEC.2. Amended by P.L.132-1984, SEC.12; P.L.242-1985, SEC.6; P.L.214-1993, SEC.10.*

#### **IC 25-4-2-5**

##### **Repealed**

*(Repealed by P.L.234-1983, SEC.10.)*

#### **IC 25-4-2-6**

##### **Certification of persons licensed, certified, or registered in another state**

Sec. 6. The board may issue a certificate of registration to a landscape architect licensed, certified, or registered in another state if the applicant:

- (1) is an individual who is at least eighteen (18) years of age;
- (2) pays the fee established by the board; and
- (3) submits evidence satisfactory to the board that:
  - (A) the out-of-state applicant meets the requirements in section 3 of this chapter or its equivalent, as determined by the board;
  - (B) the applicant does not have a conviction for:
    - (i) an act that would constitute a ground for disciplinary action under IC 25-1-11; or
    - (ii) a felony that has a direct bearing on the applicant's ability to practice competently; and
  - (C) the applicant has met the same or equivalent examination requirements in effect in Indiana at the time the applicant was registered in the other jurisdiction.

*As added by Acts 1981, P.L.225, SEC.2. Amended by Acts 1982, P.L.113, SEC.30; P.L.242-1985, SEC.7; P.L.214-1993, SEC.11; P.L.82-2000, SEC.16.*

#### **IC 25-4-2-7**

##### **Repealed**

*(Repealed by P.L.82-2000, SEC.19.)*

#### **IC 25-4-2-8**

##### **Fees**

Sec. 8. (a) The board shall set the fees for issuance of a certificate of registration to a landscape architect and for the biennial renewal of registration. The fee for registration and for renewal of registration must be based upon the administrative costs of registering and regulating landscape architects. This fee must include the costs for:

- (1) office facilities, supplies, and equipment;
- (2) clerical assistance; and
- (3) administering and enforcing this article as set forth in IC 25-4-1-16(f).

(b) Except as provided in IC 25-4-1-32, all fees collected under this chapter shall be paid by the Indiana professional licensing agency to the treasurer of state who shall deposit them in the general fund of the state.

*As added by Acts 1981, P.L.225, SEC.2. Amended by P.L.132-1984, SEC.13; P.L.242-1985, SEC.9; P.L.194-2005, SEC.18; P.L.177-2006, SEC.3.*

#### **IC 25-4-2-8.5**

##### **Landscape architect renewal of certificate of registration**

Sec. 8.5. (a) Every registered landscape architect who continues in active practice shall biennially, on or before the date established by the licensing agency under IC 25-1-6-4, renew the registered landscape architect's certificate of registration and pay the required renewal fee.

(b) A landscape architect registered in Indiana who has failed to renew the landscape architect's certificate of registration for a period of not more than five (5) years may have the certificate of registration reinstated by meeting the requirements of IC 25-1-8-6(c).

(c) A landscape architect registered in Indiana who has failed to renew the landscape architect's certificate of registration for a period of more than five (5) years may have the certificate of registration reinstated by satisfying the requirements for reinstatement under IC 25-1-8-6(d).

*As added by P.L.105-2008, SEC.14.*

#### **IC 25-4-2-9**

##### **Repealed**

*(Repealed by P.L.214-1993, SEC.91.)*

#### **IC 25-4-2-9.1**

##### **Discipline; display of revoked, suspended, or expired credentials**

Sec. 9.1. The board may discipline a person under IC 25-1-11 if that person displays to the public credentials issued by the board that:

- (1) have been revoked by the board under IC 25-1-11; or
- (2) have expired.

*As added by P.L.240-1985, SEC.4. Amended by P.L.214-1993, SEC.12.*

#### **IC 25-4-2-10**

##### **Illegal use of title; offense; injunction**

Sec. 10. (a) Any person who:

- (1) renders or offers to render services to the public, if the words "landscape architecture" or "registered landscape architecture" are used to describe these services;
- (2) uses the title "registered landscape architect" or "landscape architect"; or
- (3) engages in the practice of landscape architecture described in section 1 of this chapter;

without a current registration issued under this chapter commits a Class B infraction. A person who affixes a registered landscape architect's seal to a plan, specification, or drawing that has not been prepared by a currently registered landscape architect or under the immediate supervision of a currently registered landscape architect commits a Class B infraction.

(b) Each day a violation described in this section continues to occur constitutes a separate offense.

(c) The board may appear in its own name in the courts of the state and apply for injunctions to prevent violations of this chapter. *As added by Acts 1981, P.L.225, SEC.2. Amended by P.L.242-1985, SEC.11; P.L.82-2000, SEC.17; P.L.1-2001, SEC.31.*

#### **IC 25-4-2-11**

##### **Practice by firm**

Sec. 11. (a) For purposes of this section, "firm" means a corporation, partnership, limited liability company, or sole proprietorship.

(b) The practice of or an offer to practice landscape architecture by a firm may occur through an individual if the individual:

- (1) is in direct control of the landscape architecture practice;
- (2) exercises direct supervision of all personnel who act on behalf of the firm in landscape architecture professional and technical matters; and
- (3) holds a current registration under this chapter.

No firm doing business in Indiana may use the term or title "landscape architect", "landscape architecture", or "landscape architectural" or advertise any title or description tending to convey the impression that the firm employs a practitioner unless the firm employs a practitioner. The name of a practitioner employed by the firm must appear whenever the name of the firm is used in the professional practice of landscape architecture. Any plans, sheets of designs, or specifications prepared by the personnel of the firm must carry the signature and seal of the practitioner who is responsible for supervising the landscape architecture work.

*As added by Acts 1981, P.L.225, SEC.2. Amended by P.L.242-1985, SEC.12; P.L.82-2000, SEC.18.*

#### **IC 25-4-2-12**

##### **Standards of competency**

Sec. 12. The board shall adopt standards of competency for the practice of landscape architecture in accordance with IC 4-22-2.  
*As added by Acts 1981, P.L.225, SEC.2.*

**IC 25-4-2-13**

**Continuing education and training; requirements**

Sec. 13. (a) The board may adopt rules under IC 4-22-2 to do the following:

- (1) Require continuing education and training for landscape architects.
- (2) Set minimum requirements for continuing education and training for landscape architects.
- (3) Set minimum requirements for continuing education instructors approved by the board.

(b) The rules adopted under this section must require a landscape architect to comply with the following:

- (1) The landscape architect shall provide the board with a sworn statement signed by the landscape architect that the landscape architect has fulfilled the continuing education requirements required by the board.
- (2) The requirements under IC 25-1-4.

*As added by P.L.23-2003, SEC.2. Amended by P.L.157-2006, SEC.24.*