

## **BILL ANALYSIS**

C.S.H.B. 1573  
By: Geren  
Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Texas law does not currently provide an up-to-date, detailed definition regarding the practice of architecture. The definitions of interior design and landscape architecture differ from that for architecture in that the former two have a list of "typical" activities following a general description.

The "practice of architecture" definition contains only general wording, it does not list activities usually performed by architects in the course of typical practice. Architects are more and more being called upon to provide services (for example, code consulting, facilities programming and analysis, teaching, etc.) beyond the traditional conceptual design development and producing the requisite documents to achieve those designs. C.S.H.B. 1573 serves to broaden the definition of the "practice of architecture" by incorporating several new activities.

C.S.H.B. 1573 provides a list of broad categories of activities frequently performed by architects.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1051.001(7), Occupations Code, as follows:

(7) Modifies the definition of "Practice of architecture" to include Subsections (A) - (H) as general activities practiced by architects. Provides that the following activities apply: establishing and documenting certain information for any building to be constructed or altered, preparing plans that include all integrated building systems, programming and determination of the scope and spatial relationships of functional elements, administering the construction process, advising clients on the most appropriate project delivery systems, analyzing and consulting with clients on complex design or construction problems, research, and teaching.

SECTION 2. Amends Section 1051.701, Occupations Code, by amending Subsection (a) and adding Subsection (a-1) as follows:

(a) Provides that Subsection (a), regarding required architecture registration, is subject to Subsection (a-1).

(a-1) Provides that the practice of architecture is not determined solely on a person's participation in activities described by Section 1051.001 (7) (C), (D), (E), (F), (G), or (H).

SECTION 3. Amends Section 150.001, Civil Practices and Remedies Code, by adding that "Practice of architecture" has the meaning assigned by Section 1051.001, Occupations Code. Conforming changes are made.

SECTION 4. Section 3 of this Act applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 5. Effective date: September 1, 2005.

C.S.H.B. 1573 79(R)

**EFFECTIVE DATE**

September 1, 2005.

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 1573 modifies the original by altering the placement of Subsections (A) - (C), and changing the language used in Subsection (C), now Subsection (B), to involve preparing a set of architectural plans that include all integrated building systems.

The substitute adds new language to provide that the practice of architecture is not determined solely on a person's participation in activities described by Section 1051.001 (7) (C), (D), (E), (F), (G), or (H).

The substitute makes conforming changes.