

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 81
HOUSE BILL 715

AN ACT TO GRANT AUTHORITY TO THE NORTH CAROLINA BOARD OF
ARCHITECTURE TO IMPOSE A CIVIL PENALTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 83A-15 reads as rewritten:

"§ 83A-15. Denial, suspension or revocation of license.

The Board shall have the power to suspend or revoke a license or certificate of registration, to deny a license or certificate of ~~registration~~ registration, or to reprimand or levy a civil penalty not in excess of five hundred dollars (\$500.00) per violation against any registrant who is found guilty of:

- (1) Dishonest conduct, including but not limited to:
 - a. The commission of any fraud, deceit or misrepresentation in any professional relationship with clients or other persons; or with reference to obtaining or maintaining license, or with reference to qualifications, experience and past or present service; or
 - b. Using or permitting an individual professional seal to be used by or for others, or otherwise representing registrant as the author of drawings or specifications other than those prepared personally by or under direct supervision of registrant.
- (2) Incompetence, including but not limited to:
 - a. Gross negligence, recklessness, or excessive errors or omissions or building failures in registrant's record of professional practice; or
 - b. Mental or physical disability or addiction to alcohol or drugs so as to endanger health, safety and interest of the public by impairing skill and care in professional services.
- (3) Unprofessional conduct, including but not limited to:
 - a. Practicing or offering to practice architecture without a current license from this Board;
 - b. Knowingly aiding or abetting others to evade or violate the provisions of this Chapter, or the health and safety laws of this or other states;
 - c. Knowingly undertaking any activity or having any significant financial or other interest, or accepting any compensation or reward except from registrant's clients, any of which would

reasonably appear to compromise registrant's professional judgment in serving the best interest of clients or public;

- d. Willfully violating this Chapter or any rule or standard of conduct published by the Board, or pleading guilty or **nolo contendere** to a felony or any crime involving moral turpitude.

(4) Actions to recover civil penalties against any registrant may be commenced by the Board pursuant to Chapter 150B of the General Statutes. In determining the amount of any civil penalty, the Board shall consider the degree and extent of harm caused by the violation. Any civil penalty collected hereunder shall be deposited to the General Fund."

Sec. 2. This act shall become effective October 1, 1989, and shall apply to violations occurring on or after that date.

In the General Assembly read three times and ratified this the 1st day of May, 1989.