



STATE OF LOUISIANA
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 94005
BATON ROUGE, LA
70804-9005

To: Mr. Tyson Ducote
Executive Director
Louisiana State Board of Architectural Examiners

From: Jessica Weimer
Louisiana Department of Justice
Occupational Licensing Review Program

Date: July 17, 2026

Subject: Louisiana State Board of Architectural Examiners
Proposed Amendments to LAC 46:I.Chapter 13 *et seq.*, Administration

I. SUMMARY

The Louisiana State Board of Architectural Examiners (the “**Board**”) proposes amending LAC 46:I.1303, 1305, 1309, 1311, 1313, 1315, and 1317 (the “**Proposed Amendments**”) to clarify existing interpretations of the Architectural Licensing Law, modernize the Board's continuing education program, update terminology, correct statutory references, clarify documentation requirements concerning responsible control, and clarify the standards governing associations between Louisiana architects and architects registered in other jurisdictions.¹

The Board published a Notice of Intent to promulgate the Proposed Amendments on April 20, 2026.² The Notice invited public comment through May 15, 2026, and no comments were received.³

Pursuant to La. R.S. 49:260, the Board submitted the Proposed Amendments to the Louisiana Department of Justice’s Occupational Licensing Review Program (“**OLRP**”) on May 19, 2026. The OLRP invited public comments on the Proposed Amendments May 20, 2026 through June 2, 2026 and received no comments.

The OLRP has the statutory authority to review the substance of each proposed occupational regulation submitted to ensure compliance with clearly articulated state policy and adherence to applicable state law.⁴ An Occupational Regulation is a “rule defined in the Administrative Procedure Act (“**APA**”) that has reasonably foreseeable anti-competitive effects. Any license, permit, or regulation established by a ... board not composed of a controlling number of active

¹ Louisiana Register Vol. 52, No. 4 pg 584-588

² Id.

³ Id. at 588

⁴ LSA-R.S. 49:260 (D)(2)

market participants is excluded.”⁵ Anti-Competitive behavior is an act, or series of acts, that have the effect of harming the market or the process of competition among businesses, or a tendency to reduce or eliminate competition, with no legitimate business purpose.⁶

The Louisiana APA defines a rule as any agency statement, guide, or requirement of general applicability that implements or interprets substantive law or policy, or that prescribes agency procedures or practices, excluding statements governing only internal agency management, declaratory rulings or orders, and provisions adopting, increasing, or decreasing fees.⁷ The term includes provisions establishing fines, penalties, preferential status, or licensure or certification criteria, as well as the amendment of an existing rule. A rule may be generally applicable, even if it applies only to an identifiable class or a limited geographical area.

II. ANALYSIS

The Louisiana State Board of Architectural Examiners is authorized to adopt and amend rules and regulations as necessary to safeguard life, health, and property, and to promote the public welfare in the regulation of the practice of architecture.⁸ The Board's rulemaking authority includes establishing standards governing responsible control, the use of an architect's seal, continuing education, and other requirements necessary to administer and enforce the Architectural Licensing Law.⁹

The proposed amendments to §§1303 and 1305 clarify the Board's interpretations concerning an architect's seal by removing obsolete references to a "stamp," clarifying the meaning of "computer generated," and updating references from "responsible supervision" to "responsible control." These amendments do not modify the circumstances under which an architect must seal documents, alter licensure qualifications, expand or restrict the scope of practice, or otherwise affect market participation. Rather, they modernize terminology and clarify existing regulatory language. Accordingly, these amendments do not constitute occupational regulations within the meaning of La. R.S. 49:260 and do not present reasonably foreseeable anticompetitive effects.

The proposed amendments to §§1309 and 1311 correct erroneous statutory citations within the existing rules and clarify the Board's interpretations of La. R.S. 37:155(A)(4). Specifically, §1309 clarifies the methodology for calculating gross floor area in mixed occupancy buildings, while §1311 clarifies the Board's interpretation of the statutory exemption applicable to certain Level 1 alterations that do not affect structural integrity or life safety. These amendments implement and clarify existing statutory provisions without modifying the underlying statutory exemptions or imposing additional practice restrictions. Accordingly, these amendments merely clarify existing statutory interpretations and do not create reasonably foreseeable anticompetitive effects.

The proposed amendment to §1313 clarifies the Board's interpretation of La. R.S. 37:152(B) concerning an architect's responsible control over work prepared outside the architect's office by

⁵ LSA-R.S. 49:260 (G)(4)

⁶ Black's Law Dictionary, 12th Edition p. 116

⁷ LSA-R.S. 49:951 (8)

⁸ LSA-R.S. 37:141; LA R.S. 37:144

⁹ LSA-R.S. 37:144(C)

specifying the documentation that architects must maintain to demonstrate responsible control. The amendment is reasonably related to the Board's statutory authority to regulate the practice of architecture and enforce professional responsibility standards. It applies uniformly to all licensees, does not alter qualifications for licensure or scope of practice, and does not create barriers to entry or reduce competition.

The proposed amendments to §1315 modernize the Board's continuing education program by clarifying its purpose, exemptions, definitions, acceptable educational activities, methods of earning continuing education hours, reporting requirements, recordkeeping requirements, and related administrative provisions. The amendments also recognize additional qualifying educational activities and increase continuing education credit for certain scholarly activities. Collectively, these amendments modernize the Board's continuing education program while furthering the statutory objective of ensuring professional competency necessary to safeguard the public's health, safety, and welfare. Although the amendments revise continuing education requirements applicable to license renewal, they do not establish unreasonable barriers to licensure or renewal and do not create reasonably foreseeable anticompetitive effects. Rather, several amendments expand the means by which architects may satisfy continuing education requirements, thereby increasing flexibility for licensees.

The proposed amendment to §1317 clarifies the Board's interpretation of the phrase "associates with a registered architect of this state" as used in La. R.S. 37:155(A)(3). Specifically, the amendment requires the Louisiana architect to independently perform and maintain the necessary calculations for work under the architect's responsible control. Although the amendment removes language expressly authorizing the architect to contract with Louisiana licensed engineers to perform such calculations, the revised language expressly limits the requirement to work under the architect's responsible control. Read in conjunction with the Board's statutory authority to regulate the practice of architecture and define standards governing responsible control, the amendment clarifies the professional responsibilities of the architect assuming responsible control rather than restricting collaboration among licensed professionals. The amendment does not prohibit architects from engaging consulting engineers within their own licensed scope of practice, restrict interstate practice by qualified architects, or establish new barriers to market participation. Accordingly, the amendment is consistent with the Board's statutory authority to regulate the practice of architecture and does not create reasonably foreseeable anticompetitive effects within the meaning of La. R.S. 49:260.

Accordingly, the Proposed Amendments clarify existing interpretations of the Architectural Licensing Law, modernize the Board's continuing education program, and update terminology without restricting entry into the profession or creating unnecessary barriers to market participation.¹⁰ The Proposed Amendments are consistent with the Board's statutory authority and may be promulgated in accordance with the Louisiana Administrative Procedure Act.

¹⁰ LSA- R.S. 37:141 *et seq.*

III. DETERMINATION

The Board is a state regulatory and disciplinary body created to regulate the practice of architecture.¹¹ The Board possesses statutory authority to adopt and amend rules and regulations as necessary to safeguard life, health, and property, and to promote the public welfare.¹²

The OLRP concludes that the proposed amendments to LAC 46:I.1303, 1305, 1309, 1311, 1313, 1315, and 1317 are within the Board's statutory authority and are consistent with the clearly articulated state policy embodied in the Architectural Licensing Law.¹³ The Proposed Amendments primarily clarify the Board's interpretations of the licensing law, modernize terminology, clarify standards governing responsible control and the use of an architect's seal, correct statutory references, and modernize the Board's continuing education program to reflect current educational practices and methods of professional learning.

The Proposed Amendments do not establish new licensure classifications, restrict entry into the profession, reduce consumer choice, or otherwise create unreasonable barriers to market participation. Rather, the Proposed Amendments clarify existing regulatory requirements, improve administrative efficiency, and modernize the Board's continuing education program by expanding the educational opportunities through which architects may satisfy continuing education requirements. To the extent the continuing education amendments regulate professional practice and license renewal, they further the Board's legitimate statutory objective of ensuring continuing professional competency necessary to safeguard the public's health, safety, and welfare and do not create reasonably foreseeable anticompetitive effects within the meaning of La. R.S. 49:260.

Based on the foregoing, the OLRP determines that the Proposed Amendments adhere to clearly articulated state policy, are within the Board's statutory authority, and do not create reasonably foreseeable anticompetitive effects. Therefore, the Board may proceed with promulgation of the Proposed Amendments in accordance with the Louisiana Administrative Procedure Act without further input from the Occupational Licensing Review Program.

OFFICE OF THE ATTORNEY GENERAL
OCCUPATIONAL LICENSING REVIEW PROGRAM



Jessica B. Weimer, OLRP- Section Chief
Public Protection Division
Louisiana Department of Justice
olrp@ag.louisiana.gov

¹¹ LSA-R.S. 37:141; LA R.S. 37:144, LA R.S. 37:153

¹² LSA-R.S. 37:141; LA R.S. 37:144

¹³ LSA-R.S. 37:141 *et seq.*