

AMENDED IN SENATE AUGUST 27, 2013

AMENDED IN SENATE JUNE 3, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 630

Introduced by Assembly Member Holden

February 20, 2013

An act to add Section 5536.4 to the Business and Professions Code, relating to architects.

LEGISLATIVE COUNSEL'S DIGEST

AB 630, as amended, Holden. Architects.

Existing law establishes the California Architects Board within the Department of Consumer Affairs for the purpose of regulating the practice of architecture in this state. Existing law defines what constitutes an architect's professional services.

This bill would provide that no person may use an architect's instruments of service, as specified, without ~~written consent~~, *the consent of the architect in a written contract, or agreement written agreement, or written license specifically authorizing that use. The bill would prohibit an architect from unreasonably withholding consent to use his or her instruments of service from a person for whom the architect provided the services, except as specified.* The bill would provide that this act is a clarification of existing law and does not take away any right otherwise granted by law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5536.4 is added to the Business and
2 Professions Code, to read:
3 5536.4. (a) No person may use an architect’s instruments of
4 service, as those professional services are described in paragraph
5 (2) of subdivision (b) of Section 5500.1, without *the consent of*
6 *the architect in a written consent, contract, or agreement written*
7 *agreement, or written license* specifically authorizing that use.
8 (b) *An architect shall not unreasonably withhold consent to use*
9 *his or her instruments of service from a person for whom the*
10 *architect provided the services. An architect may reasonably*
11 *withhold consent to use the instruments of service for cause,*
12 *including, but not limited to, lack of full payment for services*
13 *provided or failure to fulfill the conditions of a written contract.*
14 SEC. 2. The Legislature finds and declares that this act is a
15 clarification of existing law and does not take away any right
16 otherwise granted by law.