

Assembly Bill No. 969

CHAPTER 117

An act to add Section 5536.22 to the Business and Professions Code, relating to architects.

[Approved by Governor July 17, 1995. Filed with
Secretary of State July 18, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

AB 969, Davis. Architects: written contract.

Existing law, the Architects Practice Act, provides a comprehensive scheme for the licensure and regulation of the practice of architecture.

This bill would require architects to use a written contract when contracting to provide professional services to a client, with specified exceptions.

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

SECTION 1. Section 5536.22 is added to the Business and Professions Code, to read:

5536.22. (a) An architect shall use a written contract when contracting to provide professional services to a client pursuant to this chapter. That written contract shall be executed by the architect and the client, or his or her representative, prior to the architect commencing work, unless the client knowingly states in writing that work may be commenced before the contract is executed. The written contract shall include, but not be limited to, all of the following items:

(1) A description of services to be provided by the architect to the client.

(2) A description of any basis of compensation applicable to the contract and method of payment agreed upon by both parties.

(3) The name, address, and license number of the architect and the name and address of the client.

(4) A description of the procedure that the architect and the client will use to accommodate additional services.

(5) A description of the procedure to be used by either party to terminate the contract.

(b) This section shall not apply to any of the following:

(1) Professional services rendered by an architect for which the client will not pay compensation.

(2) An arrangement as to the basis for compensation and manner of providing professional services implied by the fact that the



architect's services are of the same general kind which the architect has previously rendered to and received payment from the same client.

(3) If the client knowingly states in writing after full disclosure of this section that a writing which complies with the requirements of this section is not required.

(4) Professional services rendered by an architect to a professional engineer registered to practice engineering under Chapter 7 (commencing with Section 6700), or to a land surveyor licensed under Chapter 15 (commencing with Section 8700).

