

CHAPTER 304

PROFESSIONS AND OCCUPATIONS

SENATE BILL 08-029

BY SENATOR(S) Groff, Bacon, Keller, Kester, Penry, Tapia, and Tochtrop;
also REPRESENTATIVE(S) Balmer, Fischer, Green, Labuda, Liston, and McFadyen.

AN ACT

CONCERNING A REQUIREMENT THAT AN ARCHITECT OBTAIN CONTINUING EDUCATION PRIOR TO THE RENEWAL OF A LICENSE TO PRACTICE ARCHITECTURE IN COLORADO, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part 3 of article 25 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

12-25-315.5. Continuing education - continuing professional competency - board rules. (1) NO LATER THAN DECEMBER 31, 2008, THE BOARD SHALL ADOPT RULES ESTABLISHING REQUIREMENTS FOR CONTINUING EDUCATION THAT AN ARCHITECT SHALL COMPLETE IN ORDER TO RENEW A LICENSE TO PRACTICE ARCHITECTURE IN COLORADO ON OR AFTER JULY 1, 2009. THE RULES SHALL REQUIRE THE ARCHITECT TO PARTICIPATE IN A PROCESS OR PROCEDURE THAT DEMONSTRATES WHETHER THE ARCHITECT RETAINED THE MATERIAL PRESENTED IN THE CONTINUING EDUCATION PROGRAM OR COURSE.

(2) (a) PURSUANT TO SECTIONS 12-25-314 (1) AND 12-25-315, THE BOARD ISSUES A LICENSE TO PRACTICE ARCHITECTURE BASED ON WHETHER THE APPLICANT SATISFIES MINIMUM EDUCATIONAL AND EXPERIENCE REQUIREMENTS THAT DEMONSTRATE PROFESSIONAL COMPETENCY TO PRACTICE ARCHITECTURE. AFTER A LICENSE IS ISSUED TO AN APPLICANT, THE LICENSEE SHALL MAINTAIN CONTINUING PROFESSIONAL COMPETENCY TO PRACTICE ARCHITECTURE.

(b) THE BOARD SHALL ADOPT RULES ESTABLISHING A CONTINUING PROFESSIONAL COMPETENCY PROGRAM THAT INCLUDES, AT A MINIMUM, THE FOLLOWING ELEMENTS:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(I) ASSESSMENT OF THE KNOWLEDGE AND SKILLS OF A LICENSEE SEEKING TO RENEW A LICENSE;

(II) DEVELOPMENT, EXECUTION, AND DOCUMENTATION OF A LEARNING PLAN BASED ON THE ASSESSMENT; AND

(III) PERIODIC DEMONSTRATION OF KNOWLEDGE AND SKILLS NECESSARY TO ENSURE A MINIMAL ABILITY TO SAFELY PRACTICE THE PROFESSION.

(c) THE PROGRAM MAY INCLUDE THE CONTINUING EDUCATION REQUIREMENTS ADOPTED PURSUANT TO SUBSECTION (1) OF THIS SECTION, AND THE BOARD SHALL REPEAL THE CONTINUING EDUCATION REQUIREMENTS ONCE THE PROGRAM RULES ARE ADOPTED. AFTER THE PROGRAM IS ESTABLISHED, AN ARCHITECT SHALL SATISFY THE REQUIREMENTS OF THE PROGRAM IN ORDER TO RENEW A LICENSE TO PRACTICE ARCHITECTURE IN COLORADO.

(3) AS USED IN THIS SECTION, "CONTINUING PROFESSIONAL COMPETENCY" MEANS THE ONGOING ABILITY OF A LICENSEE TO LEARN, INTEGRATE, AND APPLY THE KNOWLEDGE, SKILL, AND JUDGMENT TO PRACTICE ARCHITECTURE ACCORDING TO GENERALLY ACCEPTED INDUSTRY STANDARDS AND PROFESSIONAL ETHICAL STANDARDS IN A DESIGNATED ROLE AND SETTING.

SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the executive director's office, for legal services, for the fiscal year beginning July 1, 2008, the sum of nine thousand four dollars (\$9,004), or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the division of registrations cash fund created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of regulatory agencies, for allocation to the division of registrations, to establish a requirement that an architect obtain continuing education prior to the renewal of a license to practice architecture, for the fiscal year beginning July 1, 2008, the sum of thirty-five thousand five hundred thirty dollars (\$35,530) and 0.5 FTE, or so much thereof as may be necessary, for the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated to the department of law, for the fiscal year beginning July 1, 2008, the sum of nine thousand four dollars (\$9,004), or so much thereof as may be necessary, for the provision of legal services to the department of regulatory agencies related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of regulatory agencies out of the appropriation made in subsection (1) of this section.

SECTION 3. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008,

if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to licenses to practice architecture renewed on or after the applicable effective date of this act.

Approved: May 27, 2008