

MISSISSIPPI STATE BOARD OF ARCHITECTURE
RULES AND REGULATIONS
Proposed Rule Revisions | Filed with MS SOS on November 4, 2025

CLEAN

Title 30, Part 201, Chapter 4: Professional Code of Conduct

Rule 4.5 Professional Conduct

4.5.2

A. “Responsible control” shall be control over all phases of the practice of architecture as is ordinarily exercised by architects applying the required professional standard of care, including, but not limited to control over and detailed knowledge of the content of technical submissions throughout preparation by the architect and others over whom the architect exercises supervisory direction and authority.

B. An architect shall not sign or seal drawings, specifications, reports or other professional work which was not prepared by or under the responsible control of the architect; except that (i) the architect may sign or seal those portions of the professional work that were prepared by or under the responsible control of persons who are registered under the architectural registration laws of this jurisdiction if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into the architect’s work, and (ii) the architect may sign or seal portions of the professional work that are not required by the architectural registration law to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into the architect’s work.

C. Plans, specifications, drawings, reports or other documents will be deemed to have been prepared under the responsible control of an architect only when:

1. the client requesting preparation of such plans, specifications, drawings, reports or other documents makes the request directly to the architect, or to a person under the supervisory direction and authority of the architect, so long as the architect has the right to control and direct the material details of how the work is to be performed; and
2. the architect supervises, directs and is involved in the preparation of the plans, specifications, drawings, reports or other documents and has input into and full knowledge of their preparation prior to their completion; and
3. the architect reviews the final plans, specifications, drawings, reports or other documents; and

4. the architect has the authority to, and does, make any necessary and appropriate changes to the final plans, specifications, drawings, reports or other documents; and

5. contributions of information or predrawn detail items or detail units that are incidental to and intended to be integrated into an architect's technical submissions are from trusted sources (including, but not limited to, manufacturers, installers, consultants, owners, or contractors), are subject to appropriate review, and are then coordinated and integrated into the design by the architect.

D. Review, or review and correction, of technical submissions after they have been prepared by individuals not under the supervisory direction and authority of the architect does not constitute the exercise of responsible control because the reviewer has neither control over nor detailed professional knowledge of the content of such submissions throughout their preparation.

E. Use by an architect of third-party off-site drafting services is permissible only if there is responsible control as indicated by the following, in addition to the requirements of paragraph (C) above:

1. A written agreement exists between the architect and the drafting service showing that the architect assumes full professional responsibility for the work in relation to the client, spelling out in detail the services to be provided by the drafting service including necessary disciplines and types of services. This agreement may be a standing agreement pertaining to more than one project; and
2. The technical submissions prepared by the drafting service are taken from complete information provided by the architect whose seal will appear on the documents; and
3. The drafting service's preparation shall not consist of any original design work whatsoever produced by that drafting service, including decisions for use of previously drawn or stored work. The architect shall retain documented evidence for at least five (5) years to prove the source of such original design work is that of the architect and make such records available to the Board upon request. Such records include written project agreements, time records, site visit logs, records of meetings and communications among project participants, documentation of research or investigations conducted on behalf of the project, design calculations, design sketches at various stages of development indicating the progress of the project, and notations memorializing reviews, corrections or revisions of documents prepared for the project.

F. Drawings, specifications, reports or other professional work which were not prepared by or under the responsible control of the architect but are shown on unsealed documents containing the architect's title block, shall contain a disclaimer similar to the following:

“The drawings, specifications, reports or other professional work shown on this sheet were NOT prepared under the responsible control of the architect or architect's firm whose title block appears on this sheet. Neither the architect nor the architect's firm assume any responsibility for the accuracy of the information contained on this sheet and anyone relying on such information should independently verify the information contained hereon.”

G. Licensees shall not delegate critical decision-making responsibilities to automated systems, technological tools, or artificial intelligence (AI) and must retain professional judgment and responsible control over all design decisions. The use of technology does not absolve licensees from their responsibility for ensuring compliance with applicable laws, codes, and standards.

Source: *Miss. Code Ann. §§73-1-1, 13, 19, 29(1), 35*

Title 30, Part 201, Chapter 5: Disciplinary Actions

Rule 5.9 Disciplinary Penalties

Set forth below are guidelines from which disciplinary penalties will be imposed by the Board upon practitioners found guilty of violating the law and/or rules of the Board. One purpose of the guidelines is to give notice to licensees and others under the Board's jurisdiction of the range of penalties the Board may impose for violations of particular provisions of the law and/or rules. The guidelines are not meant to be all encompassing, are not meant to address every disciplinary circumstance that might occur and there may be other causes for the imposition of discipline not mentioned below upon which the Board may act.

The guidelines are based upon a single count violation of each provision listed and are a guideline only. Multiple counts of violations of the same provision of the law or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint, will be grounds for enhancement of penalties. The Board shall be able to add to or deviate from the guidelines upon showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the Board prior to the imposition of a final decision. The maximum penalty for any violation is revocation and a \$5,000 fine per violation.

In determining the penalty to be imposed, the Board shall consider the following factors:

- A. Whether the penalty imposed will be a substantial deterrent to the violation
- B. The circumstances leading to the violation
- C. The severity of the violation and the risk of harm to the public
- D. The economic benefits gained by the violator as a result of non-compliance
- E. The interest of the public
- F. Consistency of the penalty with past penalties for similar offenses, or justification for the

- penalty imposed
- G. Prior disciplinary action in any jurisdiction or repeated violations
- H. Self-reporting of the offense, cooperation with the Board's investigation, and any corrective action taken

The guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees, applicants, intern architects, licensure candidates and examination candidates for violation of the above-mentioned statutes and rules. The Board shall have the right to collect any legal, investigative, and/or administrative charges incurred by the Board during the course of the investigation. In addition to the above sanctions, the Board may also require the individual to take and successfully pass a state jurisprudence examination as a condition precedent to final resolution of the disciplinary action.

Disciplinary Penalties:

- A. Failure to stamp plans (4.5.5; 3.2.4):
Minimum Penalty-Letter of reprimand and \$500 fine
- B. Failure to sign over stamp (73-1-35; 3.2.4; 4.5.7):
Minimum Penalty-Same as (A) above
- C. Providing work not competent to perform (4.1.1; 4.1.3):
Minimum Penalty-Reprimand and \$2,500 fine
- D. "Plan Stamping" (73-1-35; 3.2.4; 4.5.2; 4.5.5; 4.5.9):
Minimum Penalty-Suspension and \$2,500 fine
- E. Attempting to procure a license by providing false, deceptive or misleading information (73-1-13(d)(iii); 73-1-29(b); 4.4.5):
Minimum Penalty-Revocation and \$2,500 fine if licensed (denial of license if application in process)
- F. Licensee disciplined by another jurisdiction (4.3.1; 4.3.4):
Minimum Penalty-Board discretion
- G. Criminal conviction relating to architecture (73-1-29(g); 4.3.1):
Minimum Penalty-Misdemeanor: reprimand and \$2,500 fine
Minimum Penalty-Felony: One (1) year suspension, one (1) year probation and \$2,500 fine
- H. Practice on suspended license resulting from disciplinary action by Board (73-1-29(e)):
Minimum Penalty-Revocation and \$5,000 fine
- I. Practice on inactive license (73-1-27; 73-1-29(e); 2.3):
Minimum Penalty-Fine based on length of time in practice while inactive; \$1,000 per month (penalty will require licensee to renew license or cease practice)
- J. Practice on revoked license based on non-payment of renewal fee (73-1-27; 73-1-29(e); 2.3):
Minimum Penalty-Fine based on length of time in practice while revoked; \$1,000 per month
- K. Fraudulent, false, deceptive or misleading advertising (73-1-1; 3.2.2; 3.2.3; 3.2.9; 3.2.11):
Minimum Penalty-Cease and desist letter and public reprimand
- L. Negligence (73-1-29(c); 4.1.1; 4.1.3):

- Minimum Penalty-Reprimand, one (1) year probation and \$2,500 fine
- M. Fraud or Deceit (73-1-29(h); 4.5.4):
Minimum Penalty-Reprimand, one (1) year suspension, one (1) year probation and \$2,500 fine
- N. Incompetence (mental or physical impairment) (4.1.4):
Minimum Penalty-Suspension until ability to practice proved, followed by probation
- O. Bribery to obtain clients or commissions (4.3.3; 4.5.3):
Minimum Penalty-Revocation and \$5,000 fine
- P. Undisclosed conflict of interest (73-1-29(i); 4.2.1):
Minimum Penalty-Reprimand, \$2,500 fine and one (1) year probation
- Q. Aiding unlicensed practice (3.2.6(c); 4.3.2; 4.4.7; 4.4.8):
Minimum Penalty-Probation and \$2,500 fine
- R. Practicing architecture without a license (73-1-1; 73-1-13(d)(v); 73-1-29(a); 2.2):
Minimum Penalty-Reprimand and \$2,500 fine (denial of license if application in process)
- S. Practicing architecture through a business corporation or through a business entity that is not provided on the architect's record with the Board (73-1-19; 3.2.12):
Minimum Penalty-\$2,500 fine and test on Board laws and rules
- T. Violating the provisions of the construction administration rule (3.2.16):
Minimum Penalty-\$1,500 fine
- U. Failure to comply with continuing education requirements (6.2):
Minimum Penalty-Admonition and \$500 fine for each calendar year in which any number of the required continuing education hours were deficient

Source: *Miss. Code Ann. §73-1-29(4)*

Title 30, Part 201, Chapter 6: Mandatory Continuing Education Guidelines

Rule 6.11 RESERVED

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MARK-UP

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- U. Failure to comply with continuing education requirements (6.2):
Minimum Penalty-Admonition and \$500 fine for each calendar year in which any number of the required continuing education hours were deficient

Source: *Miss. Code Ann. §73-1-29(4)*

Title 30, Part 201, Chapter 6: Mandatory Continuing Education Guidelines

Rule 6.11 ~~Penalty for Late Units.~~ RESERVED

~~The penalty for CEHs earned late shall be \$500 for each calendar year in which any number of the required twelve (12) CEHs were deficient and earned in the following calendar year. The registrant is required to self report late CEHs during application renewal. Failure to report late credits may constitute the submission of a false statement to the Board.~~

~~Source: *Miss. Code Ann. §73-1-9*~~