

SENATE BILL No. 29

AN ACT concerning the state board of technical professions; relating to licensure; amending K.S.A. 74-7003, 74-7009, 74-7013, 74-7018, 74-7021, 74-7022, 74-7023, 74-7025, 74-7026, 74-7029, 74-7031, 74-7034, 74-7036 and 74-7041 and repealing the existing sections; also repealing K.S.A. 74-7043, 74-7044 and 74-7045.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 74-7003 is hereby amended to read as follows: 74-7003. As used in ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto:

(a) “Technical professions” includes the professions of engineering, land surveying, architecture, landscape architecture and geology as the practice of such professions are defined in ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto.

(b) “Board” means the state board of technical professions.

(c) “License” means a license to practice the technical professions granted under ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto.

(d) “Architect” means a person whose practice consists of:

(1) Rendering services or performing creative work which requires architectural education, training and experience, including services and work such as consultation, evaluation, planning, providing preliminary studies and designs, overall interior and exterior building design, the preparation of drawings, specifications and related documents, all in connection with the construction or erection of any private or public building, building project or integral part or parts of buildings or of any additions or alterations thereto, or other services and instruments of services related to architecture;

(2) representation in connection with contracts entered into between clients and others; and

(3) observing the construction, alteration and erection of buildings.

(e) “Practice of architecture” means the rendering of or offering to render certain services, as described in subsection (d), in connection with the design and construction or alterations and additions of a building or buildings; the design and construction of items relating to building code requirements, as they pertain to architecture, and other building related features affecting the public’s health, safety and welfare; the preparation and certification of any architectural design features that are required on plats; and the teaching of architecture by a licensed architect in a college or university offering an approved architecture curriculum of four years or more.

(f) “Landscape architect” means a person who is professionally qualified as provided in ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto, to engage in the practice of landscape architecture, who practices landscape architecture and who is licensed by the board.

(g) “Practice of landscape architecture” means the performing of professional services such as consultation, planning, designing or responsible supervision in connection with the development of land areas for preservation and enhancement; the designing of land forms and nonhabitable structures for aesthetic and functional purposes such as pools, walls and structures for outdoor living spaces for public and private use; the preparation and certification of any landscape architectural design features that are required on plats; and the teaching of landscape architecture by a licensed landscape architect in a college or university offering an approved landscape architecture curriculum of four years or more. It encompasses the determination of proper land use as it pertains to: Natural features; ground cover, use, nomenclature and arrangement of plant material adapted to soils and climate; naturalistic and aesthetic values; settings and approaches to structures and other improvements; soil conservation erosion control; drainage and grading; and the development of outdoor space in accordance with ideals of human use and enjoyment.

(h) “Professional engineer” means a person who is qualified to practice engineering by reason of special knowledge and use of the mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience, who is qualified as provided in ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto, to engage in the practice of engineering and who is licensed by the board.

(i) “Practice of engineering” means any service or creative work, the adequate performance of which requires engineering education, training and experience in the application of special knowledge of the mathematical, physical and engineering sciences to such services or creative work

as consultation, investigation, evaluation, planning and design of engineering works and systems, the teaching of engineering by a licensed professional engineer in a college or university offering an approved engineering curriculum of four years or more, engineering surveys and studies, the observation of construction for the purpose of assuring compliance with drawings and specifications, representation in connection with contracts entered into between clients and others and the preparation and certification of any engineering design features that are required on plats; any of which embraces such service or work, either public or private, for any utilities, structures, buildings, machines, equipment, processes, work systems, projects and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic or thermal nature, insofar as they involve safeguarding life, health or property. As used in this subsection, “engineering surveys” includes all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects, but excludes the surveying of real property for the establishment of land boundaries, rights-of-way, easements and the dependent or independent surveys or resurveys of the public land survey system.

(j) “Land surveyor” means any person who is engaged in the practice of land surveying as provided in ~~this act~~ K.S.A. 74-7001 *et seq.*, and *amendments thereto*, and who is licensed by the board.

(k) “Practice of land surveying” includes:

(1) The performance of any professional service, the adequate performance of which involves the application of special knowledge and experience in the principles of mathematics, the related physical and applied sciences, the relevant requirements of law and the methods of surveying measurements in measuring and locating of lines, angles, elevation of natural and man-made features in the air, on the surface of the earth, within underground workings and on the bed of bodies of water for the purpose of determining areas, volumes and monumentation of property boundaries;

(2) the *planning, mapping and* preparation of plats of land and subdivisions thereof, including the topography, rights-of-way, easements and any other boundaries that affect rights to or interests in land, but excluding features requiring engineering or architectural design;

(3) the preparation of the original descriptions of real property for the conveyance of or recording thereof and the preparation of maps, plats and field note records that represent these surveys;

(4) the reestablishing of missing government section corners in accordance with government surveys; ~~and~~

(5) the teaching of land surveying by a licensed land surveyor in a college or university offering an approved land surveying curriculum of four years or more; *and*

(6) *the locating or laying out of alignments, positions or elevations where such work is part of the construction of engineering or architectural works.*

(l) “Person” means a natural person, ~~firm, corporation or partnership or business entity.~~

(m) “Plat” means a diagram drawn to scale showing all essential data pertaining to the boundaries and subdivisions of a tract of land, as determined by survey or protraction. A plat should show all data required for a complete and accurate description of the land which it delineates, including the bearings (or azimuths) and lengths of the boundaries of each subdivision.

(n) “Geologist” means a person who is qualified to engage in the practice of geology by reason of knowledge of geology, mathematics and the supporting physical and life sciences, acquired by education and practical experience, who is qualified as provided in ~~this act~~ K.S.A. 74-7001 *et seq.*, and *amendments thereto*, to engage in the practice of geology and who is licensed by the board.

(o) “Practice of geology” means:

(1) The performing of professional services such as consultation, investigation, evaluation, planning or mapping, or inspection, or the responsible supervision thereof, in connection with the treatment of the earth and its origin and history, in general; the investigation of the earth’s constituent rocks, minerals, solids, fluids including surface and under-

ground waters, gases and other materials; and the study of the natural agents, forces and processes which cause changes in the earth;

(2) the teaching of geology by a licensed professional geologist in a college or university offering an approved geology curriculum of four years or more by a person who meets the qualifications for education and experience prescribed by K.S.A. 74-7041, and amendments thereto; or

(3) representation in connection with contracts entered into between clients and others and the preparation and certification of geological information in reports and on maps insofar as it involves safeguarding life, health or property.

(p) “*Business entity*” means a general corporation, professional corporation, limited liability company, limited liability partnership, corporate partnership or other legal entity created by law.

(q) “*Principal*” means a person who serves in a business entity as an officer, member of a board of directors, member of a limited liability company or partner.

Sec. 2. K.S.A. 74-7009 is hereby amended to read as follows: 74-7009. (a) The following nonrefundable fees shall be collected by the board:

(1) For an original license, issued upon the basis of an examination given by the board, an application fee in the sum of not more than \$200 plus an amount, to be determined by the board, equal to the cost of any examination required by the board in each branch of the technical professions;

(2) for a license by reciprocity under K.S.A. 74-7024, and amendments thereto, an application fee of not more than \$500;

(3) for a certificate of authorization for a ~~corporation~~ *business entity*, the sum of not more than \$300;

(4) for the biennial renewal of a license, the sum of not more than \$200; ~~and~~

(5) for the biennial renewal of a certificate of authorization for a ~~corporation~~ *business entity*, the sum of not more than \$300; ~~and~~

(6) ~~for the renewal of a certificate of authorization pursuant to subsection (e) of K.S.A. 74-7036, and amendments thereto, one-half of the renewal fee required by paragraph (5) of this subsection.~~

(b) On or before November 15, each year, the board shall determine the amount necessary to administer the provisions of ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto, for the ensuing calendar year including the amount to be credited to the state general fund, and shall fix the fees for such year at the sum deemed necessary for such purposes.

(c) The board shall remit all moneys received by or for it from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Twenty percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the technical professions fee fund, which fund is hereby created. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or by a person or persons designated by the chairperson.

Sec. 3. K.S.A. 74-7013 is hereby amended to read as follows: 74-7013. (a) The board may adopt all ~~bylaws and~~ rules and regulations, including rules of professional conduct, which are necessary for performance of its powers, duties and functions in the administration of ~~this act~~ the provisions of K.S.A. 74-7001 *et seq.*, and amendments thereto.

(b) The board, through rules and regulations, may ~~adopt, enforce, and audit mandatory~~ *require* continuing education as a condition for license renewal or reinstatement ~~for each of the technical professions as determined by the board.~~

~~—It is the responsibility of the member or members of the board who hold a license to practice the profession for which an applicant seeks to be licensed, to provide and have graded any examination required by this act to be taken by such applicant and may exempt persons from such continuing education requirements.~~

Sec. 4. K.S.A. 74-7018 is hereby amended to read as follows: 74-7018. Applications for ~~license licensure~~ shall be ~~in writing and~~ submitted

on forms prescribed and furnished by the board and shall contain ~~statements made under oath showing~~ information concerning the applicant's education and a detailed summary of the applicant's technical work, previous examinations, if any, and the results thereof and such other information and references as may be required by the board. All such applications shall be ~~filed with~~ submitted to the executive director, together with the application fee prescribed under K.S.A. 74-7009, and amendments thereto, not later than 90 days prior to the date of the examination. Applications for examination, and the fee therefor, received after such date shall be retained by the board and shall be reviewed for eligibility to take the next succeeding examination held by the board, and the applicant shall be notified by the board of the time, date and place of the examination. An applicant who fails to appear for four scheduled examinations must reapply and again pay the current prescribed fee. Any applicant failing the examination may apply for reexamination within six months following date of failure and will be reexamined upon payment of the application fee prescribed under K.S.A. 74-7009 and amendments thereto within a time period to be determined by the board.

Sec. 5. K.S.A. 74-7021 is hereby amended to read as follows: 74-7021. (a) Minimum qualifications of applicants seeking licensure as professional engineers are the following:

- ~~(a)~~ (1) Graduation from a college or university program that is adequate in its preparation of students for the practice of engineering; and
- ~~(b)~~ (2) the satisfactory passage of such written examination in the fundamentals of engineering as utilized by the board; and
- ~~(c)~~ (3) proof of four years of engineering experience of a character satisfactory to the board, as defined by rules and regulations of the board; and
- ~~(d)~~ (4) the satisfactory passage of such examination in professional practice as utilized by the board.

(b) *The board may issue an intern engineer certificate to a person who meets the education and examination qualifications prescribed by the board.*

Sec. 6. K.S.A. 74-7022 is hereby amended to read as follows: 74-7022. (a) Minimum qualifications of applicants seeking licensure as land surveyors are the following:

- ~~(a)~~ (1) Proof of ~~at least eight years of~~ land surveying experience ~~or~~ and education ~~or a combination thereof satisfactory to the board, as defined by~~ in accordance with rules and regulations of the board; and
- ~~(b)~~ (2) the satisfactory passage of ~~an examination~~ examinations utilized by the board.

(b) *The board may issue an intern land surveyor certificate to a person who meets the education, experience and examination qualifications prescribed by the board.*

Sec. 7. K.S.A. 74-7023 is hereby amended to read as follows: 74-7023. (a) All examinations required by ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto, shall be held at such time and place as the board determines. The scope of the examinations ~~and the~~ methods of procedure and eligibility to take examinations, including reexaminations, shall be prescribed by the board.

(b) The board, after receiving satisfactory evidence of the qualifications of ~~applicants~~ an applicant and after satisfactory examination of the ~~applicants~~ applicant, shall issue a license authorizing the applicant to practice the technical profession for which the applicant is qualified and to use the title appropriate to such technical profession.

(c) Each license shall show the full name of the licensee, shall have a serial number and shall be signed by the chairperson and the secretary of the board under seal of the board. The issuance of a license by the board shall be prima facie evidence that the person named on the license is legally licensed and is entitled to all the rights and privileges of a licensed practitioner of the technical profession for which the licensee is licensed while the license remains unrevoked and unexpired.

~~(b)~~ (d) Each licensee shall purchase a seal of a distinctive design authorized by the board, bearing the licensee's name and number and a uniform inscription formulated by the board. Documents, reports, legal descriptions, records and papers signed by the licensee in the licensee's professional capacity shall be stamped with the seal during the duration

of the license, but it shall be unlawful for anyone to stamp any document with the seal after the license has expired or has been revoked, unless the license has been renewed or reissued. No person shall tamper with or revise the seal without express written approval by the board.

~~(e)~~ (e) Any ~~Kansas practitioner of a technical profession~~ *person* licensed hereunder may stamp any documents submitted to such ~~practitioner~~ *licensee* by any practitioner of a technical profession licensed in another state upon assuming full responsibility for furnishing complete and adequate observation of the work covered by the documents to which the ~~Kansas practitioner licensee~~ has affixed the seal.

Sec. 8. K.S.A. 74-7025 is hereby amended to read as follows: 74-7025. (a) ~~The~~ *At least 30 days prior to the date of expiration of a license or certificate of authorization, the* executive director shall notify every person licensed under ~~this act~~ K.S.A. 74-7001 *et seq., and amendments thereto, or business entity* issued a certificate of authorization under K.S.A. 74-7036, and amendments thereto, of the date of the expiration of the license or certificate of authorization and the amount of the fee that is required for its renewal for two years. The licensee shall notify the board in writing of any change of ~~the licensee's~~ address within 30 days after the date of such change. ~~The renewal notice shall be mailed to the last address provided to the board by the licensee at least one month in advance of the date of the expiration of the license or certificate of authorization.~~ Renewal may be effected without penalty any time during a period of 60 days following the date of the expiration of the license or certificate of authorization by the payment of a renewal fee established by the board pursuant to the provisions of K.S.A. 74-7009, and amendments thereto.

(b) As a condition for obtaining license renewal, the board may require proof of compliance with continuing education requirements established by rules and regulations.

(c) The failure on the part of any licensee or holder of a certificate of authorization to effect renewal or reinstatement of a license or certificate of authorization as required above shall result in the cancellation of the license or certificate of authorization by the board.

(d) Any person whose license or certificate of authorization has been cancelled pursuant to subsection (c) may have the license or certificate of authorization reinstated by the board for good cause shown and upon payment of a penalty determined by the board in an amount of not more than \$100.

(e) A new license or certificate of authorization, to replace any lost, destroyed or mutilated license, may be issued, subject to rules and regulations of the board, and a charge of \$20 shall be made for such issuance.

Sec. 9. K.S.A. 74-7026 is hereby amended to read as follows: 74-7026. (a) The board shall have the power to *limit, condition*, reprimand or otherwise discipline, suspend or revoke the license of any person who ~~is found guilty of~~ *has engaged in any of the following conduct*:

(1) The practice of any fraud or deceit in obtaining a license or certificate of authorization issued under K.S.A. 74-7036, and amendments thereto;

(2) any gross negligence, incompetency, misconduct or wanton disregard for the rights of others in the practice of any technical profession;

(3) a conviction of a felony as set forth in the criminal statutes of the state of Kansas, of any other state or of the United States;

(4) violation of any rules of professional conduct adopted and promulgated by the board or violation of rules and regulations adopted by the board for the purpose of carrying out the provisions of ~~this act~~ K.S.A. 74-7001 *et seq., and amendments thereto*; or

(5) affixing or permitting to be affixed such licensee's seal or name to any documents, reports, records or papers which were not prepared by such licensee or prepared under the direct supervision and control of such licensee, except as provided in K.S.A. 74-7023, and amendments thereto.

(b) The board shall have the power to *limit, condition*, reprimand or otherwise discipline, suspend or revoke the certificate of authorization of any ~~corporation whose officers or directors have committed any act or have been guilty of~~ *business entity which has engaged in* any conduct which would authorize the board to *limit, condition*, reprimand or oth-

erwise discipline, suspend or revoke the license of a person under this section.

(c) The board, for reasons it may deem sufficient, may reissue a license or certificate of authorization ~~to any person whose license or certificate of authorization~~ *that* has been revoked and may remove the suspension of the license or certificate of authorization ~~of any person whose license or certificate of authorization has been suspended~~ providing seven or more members of the board vote in favor of such reissuance or removal of suspension. A new license or certificate of authorization, to replace any revoked or suspended license or certificate of authorization, may be issued, subject to rules and regulations of the board, and a charge of \$100 shall be made for the issuance of such license or \$150 for the issuance of a certificate of authorization.

(d) Any action of the board pursuant to this section shall be subject to the provisions of the Kansas administrative procedure act.

Sec. 10. K.S.A. 74-7029 is hereby amended to read as follows: 74-7029. (a) It shall be a class A misdemeanor for any person to: (1) Practice or offer to practice or hold ~~the person's one's~~ self out as entitled to practice any technical profession unless ~~by the person is~~ *by the person is* licensed as provided in ~~this act K.S.A. 74-7001 et seq., and amendments thereto,~~ or holds a certificate of authorization issued under K.S.A. 74-7036, and amendments thereto; (2) present or attempt to use, as such person's own, the license, certificate of authorization or seal of another; (3) falsely impersonate any other practitioner of like or different name; (4) give false or forged evidence to the board or any member thereof in obtaining a license or certificate of authorization; (5) use or attempt to use a license or certificate of authorization that has expired or been suspended or revoked; (6) falsely advertise as a licensed practitioner or as the holder of a certificate of authorization; (7) use in connection with such person's name, or otherwise assume, or advertise any title or description intended to convey the impression that such person is a licensed practitioner or holds a certificate of authorization; or (8) otherwise violate any of the provisions of ~~this act K.S.A. 74-7001 et seq., and amendments thereto,~~ or any rule and regulation promulgated by the board ~~in conformance with the revisions of this act.~~

(b) For the purposes of subsection (a)(1), a person shall be construed to practice or offer to practice or hold ~~the person's one's~~ self out as entitled to practice a technical profession if such person: (1) Practices any branch of the technical professions; (2) by verbal claim, sign, advertisement, letterhead, card or in any other way represents the ~~person's self~~ *person* to be an architect, landscape architect, professional engineer, *geologist* or land surveyor; (3) through the use of some other title implies that such person is an architect, landscape architect, professional engineer, *geologist* or land surveyor or that such person is licensed to practice a technical profession; or (4) holds ~~the person's one's~~ self out as able to perform, or does perform, any service or work or any other service designated by the practitioner which is recognized as within the scope of the practice of a technical profession.

(c) The attorney general of the state or the district or county attorney of any county, at the request of the board, shall render such legal assistance as may be necessary in carrying out the provisions of ~~this act K.S.A. 74-7001 et seq., and amendments thereto.~~ Upon the request of the board, the attorney general or district or county attorney of the proper county shall institute in the name of the state or board the proper proceedings against any person regarding whom a complaint has been made charging such person with the violation of any of the provisions of ~~this act K.S.A. 74-7001 et seq., and amendments thereto.~~ The attorney general, and such district or county attorney, at the request of the attorney general or of the board, shall appear and prosecute any and all such actions.

Sec. 11. K.S.A. 74-7031 is hereby amended to read as follows: 74-7031. The provisions of ~~this act K.S.A. 74-7001 et seq., and amendments thereto,~~ requiring licensure or the issuance of a certificate of authorization under K.S.A. 74-7036, and amendments thereto, to engage in the practice of architecture shall not be construed to prevent or to affect:

(a) The practice of any person engaging in the publication of books or pamphlets illustrating architectural designs.

(b) Persons preparing plans, drawings or specifications for one and two family dwellings or for agricultural buildings.

(c) Persons furnishing, individually or with subcontractors, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data concerning the labor and materials to be used for any of the following as long as the utilization of the uniform building code or life safety code, as currently adopted by the division of architectural services of the state of Kansas, is not required:

(1) Store fronts or facades, interior alterations or additions, fixtures, cabinet work, furniture, appliances or other equipment;

(2) work necessary to provide for installation of any item designated in subsection (c)(1);

(3) alterations or additions to a building necessary to or attendant upon installation of any item designated in subsection (c)(1), if the alteration or addition does not change or affect the structural system of the building, which structural system includes, but is not limited to, foundations, walls, floors, roofs, footings, bearing partitions, beams, columns or joists.

(d) Work involving matters of rates, rating and loss prevention by employees of insurance rating organizations and insurance service organizations and insurance companies and agencies.

(e) The performance of services by a licensed landscape architect or ~~corporation~~ *business entity* issued a certificate of authorization to provide services in landscape architecture under K.S.A. 74-7036, and amendments thereto, in connection with landscape and site planning for the sites, approaches or environment for buildings, structures or facilities.

(f) For the purposes of this section:

(1) “Building” means any structure consisting of foundation, floors, walls, columns, girders, beams and roof, or a combination of any number of these parts, with or without other parts and appurtenances thereto, including the structural, mechanical and electrical systems utility services, and other facilities as may be required for the structure.

(2) “Agricultural building” means any structure designed and constructed to house hay, grain, poultry, livestock or other horticultural products and for farm storage of farming implements. Such structure shall not be a place for human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a building or structure for use by the public.

Sec. 12. K.S.A. 74-7034 is hereby amended to read as follows: 74-7034. The provisions of ~~this act~~ K.S.A. 74-7001 *et seq.*, and amendments thereto, requiring licensure or the issuance of a certificate of authorization under K.S.A. 74-7036, and amendments thereto, to engage in the practice of land surveying shall not be construed to prevent or to affect:

~~(a) Surveying, other than land surveying where such surveying is incidental to the design or construction of engineering or architectural works. The locating or laying out of alignments, positions or elevations where such work is part of the construction of engineering or architectural works.~~

(b) The practice of land surveying by an individual of such individual’s own real property or that of such individual’s employer for purposes other than the conveyance of an interest in such real property.

(c) The surveying on farms for agricultural purposes other than the conveyance of an interest in such farm property.

(d) The performance of services by a licensed landscape architect or by a ~~corporation~~ *business entity* issued a certificate of authorization to provide services in landscape architecture under K.S.A. 74-7036, and amendments thereto, in connection with landscape and site planning for the sites, approaches or environment for buildings, structures or facilities.

Sec. 13. K.S.A. 74-7036 is hereby amended to read as follows: 74-7036. ~~(a) The practice of or offer to practice a technical profession by an individual licensed to practice the technical professions through a corporation as an officer, employee or agent of such corporation is authorized as provided under this section. Notwithstanding any other provision of law, a business entity may be organized for the practice of one or more of the technical professions if: (1) One or more of the corporate officers of such corporation principals is designated as responsible for the activities and decisions relating to the practice of such profession and is li-~~

censed to practice such profession by the ~~state board of technical professions~~ and is a regular employee of and active participant in the ~~corporation business entity~~; (2) ~~all personnel of such corporation who act in its behalf in the practice of such profession are~~ *each person engaged in the practice of the technical profession is* licensed to practice such profession by the ~~state board of technical professions~~ or ~~are persons lawfully practicing is~~ *exempt from licensure* under K.S.A. 74-7031 through 74-7035, and amendments thereto, or ~~are~~ *is* exempt from examination for licensure in this state under K.S.A. 74-7024, and amendments thereto; and (3) such ~~corporation business entity~~ has been issued a certificate of authorization by the ~~state board of technical professions~~.

(b) A ~~corporation business entity~~ may apply to the board of ~~technical professions~~ for a certificate of authorization, upon a form prescribed ~~and furnished~~ by the board, listing the names and addresses of all ~~officers and members of the board of the corporation and also of an individual or individuals principals~~ licensed to practice a ~~branch of the technical professions~~ *profession who will be responsible for the practice of such branch of the technical professions in this state through such corporation*, and such other information as may be required by the board of ~~technical professions~~. The application for a certificate of authorization shall be accompanied by an application fee fixed by the board under K.S.A. 74-7009, and amendments thereto. *Except as provided in subsection (e), the certificate of authorization shall be renewed biennially.* The biennial renewal fee fixed by the board under K.S.A. 74-7009, and amendments thereto, shall be accompanied by ~~the same form~~ *a form prescribed by the board* providing current information. In the event of a change of any ~~officer of such corporation or a change of any member of the board principal~~, such change shall be ~~designated on such form and filed with~~ *provided to* the board within 30 days after the effective date of such change.

(c) If the board of ~~technical professions~~ finds that such ~~corporation business entity~~ is in compliance with all of the requirements of this section, the board shall issue a certificate of authorization to such ~~corporation business entity~~ designating the ~~branch or branches of the technical professions~~ *technical profession* for which such ~~corporation business entity~~ is authorized to provide services. ~~A corporation to which a certificate of authorization has been issued is hereby authorized to provide services in the branch or branches of the technical professions for which such corporation is authorized to provide services under such certificate of authorization.~~

(d) No ~~corporation business entity~~ issued a certificate of authorization under this section shall be relieved of responsibility for the conduct or acts of its agents, employees or ~~officers principals~~ by reason of its compliance with the provisions of this section, nor shall any individual practicing a ~~branch of the technical professions~~ *technical profession* be relieved of responsibility and liability for services performed by reason of employment or relationship with such ~~corporation business entity~~. The requirements of this section shall not affect a ~~corporation business entity~~ and its employees in performing services included within the term “technical professions” solely for the benefit of such ~~corporation business entity~~ or subsidiary or affiliated ~~corporations business entities~~. Nothing in this section shall exempt any ~~corporation business entity~~ from the provisions of any other law applicable thereto.

(e) (1) *The board is hereby authorized to issue a one-time renewal of the certificate of authorization for a business entity for a one-year period under the following conditions:*

(A) *The certificate of authorization is scheduled for renewal on or after December 31, 2010;*

(B) *the name of the business entity begins with a letter in the last half of the alphabet;*

(C) *the board notifies the business entity that its certificate of authorization will be renewed for one year; and*

(D) *the fee for renewal under this subsection shall be one-half of the biennial renewal fee set forth in K.S.A. 74-7009, and amendments thereto.*

(2) *Any certificate of authorization which has been renewed for a period of one year in accordance with this subsection shall be subsequently renewed on a biennial basis as prescribed by K.S.A. 74-7001 et seq., and amendments thereto.*

(3) *No certificate of authorization shall be renewed for a period of one year on or after January 1, 2012.*

Sec. 14. K.S.A. 74-7041 is hereby amended to read as follows: 74-7041. (a) Minimum qualifications of applicants seeking licensure as geologists are the following:

~~(a)~~ (1) Graduation from a course of study in geology, or from a program which is of four or more years' duration and which includes at least 30 semester or 45 quarter hours of credit with a major in geology or a geology specialty, that is adequate in its preparation of students for the practice of geology;

~~(b)~~ (2) proof of at least four years of experience in geology of a character satisfactory to the board, as defined by rules and regulations of the board; and

~~(c)~~ (3) the satisfactory passage of such examinations in the fundamentals of geology and in geologic practice as utilized by the board.

(b) *The board may issue an intern geologist certificate to a person who meets the education and examination qualifications prescribed by the board.*

Sec. 15. K.S.A. 74-7003, 74-7009, 74-7013, 74-7018, 74-7021, 74-7022, 74-7023, 74-7025, 74-7026, 74-7029, 74-7031, 74-7034, 74-7036, 74-7041, 74-7043, 74-7044 and 74-7045 are hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

SENATE concurred in
HOUSE amendments _____

President of the Senate.

Secretary of the Senate.

Passed the HOUSE
as amended _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.