

DEPARTMENT OF CONSUMER AFFAIRS

**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS  
DIVISION 2.**

CALIFORNIA ARCHITECTS BOARD

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
**Reciprocity Requirements**

**NOTICE IS HEREBY GIVEN** that the California Architects Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

**WRITTEN COMMENT PERIOD**

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than Wednesday, April 3, 2024, by 5:00 p.m.**, or must be received by the Board at the hearing, should one be scheduled.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by sections 115.5, 5526, and 5552.5 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 115.5, 5550, and 5552.5, the Board is considering amending sections 121 and 124 of title 16 of the California Code of Regulations (CCR).

**INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

Currently, Board regulations 16 CCR section 121 describe reciprocity licensure requirements for those candidates who are already licensed in another jurisdiction, including foreign licensees. The current guidelines and requirements for licensure are unclear, obsolete and do not represent the current requirements for licensure.

This proposal would simplify the application process for a reciprocal architect license in California. The Board would make requirements for reciprocity licensure consistent with the licensure requirements for all applicants and remove outdated language.

In addition, the Board’s California Supplemental Examination (CSE), at 16 CCR section 124, describes the process to apply for and retake the CSE. The existing regulation does not specify the information asked for in the application to take the CSE, nor does it specify that a fee is required or where the fee can be located in regulation. This proposed regulation will correct those oversights.”

This regulatory proposal will amend 16 CCR sections 121 and 124. The amendments to the regulations through this proposed rulemaking are as follows:

Amend 16 CCR section 121 title to more clearly reflect the contents of the section.

Amend 16 CCR section 121 to remove language not related to the contents of the section.

Amend 16 CCR section 121(a)(1) to clarify requirements, remove unnecessary language, correct an unintended oversight of other states granting architectural registration, and direct candidates eligible under BPC section 115.5 to where document requirements are listed in regulation.

Amend 16 CCR section 121(a)(2) to clarify to whom this subsection applies, restructure and clarify required documentation, and remove outdated information related to the Intern Development Program (IDP).

Delete 16 CCR section 121 subsection (a) former paragraph (2) as it contains obsolete language referring to IDP and other reporting requirements.

Amend 16 CCR section 121(b)(1) to clarify architects can be registered or licensed and simplifying language.

Delete 16 CCR section 121(b)(2) and (3) as they pertain to requiring an NCARB Certificate separately but are now consolidated into subsection (b).

Amend 16 CCR section 124(b) to clarify the fee and eligibility requirements for the California Supplemental Examination (CSE).

Add 16 CCR section 124(b) subparagraphs (1) - (4) to clarify what information the CSE application must contain.

### **Anticipated Benefits of Proposal**

This proposal would provide clarifying and simplified language specific to the filing for a reciprocal architect license in California. The Board would make requirements for licensure consistent for applicants and remove outdated language. Language would be included clarifying what information must be provided on the CSE application and where to locate the CSE fee.

### **Evaluation of Consistency and Compatibility with Existing State Regulations**

During the process of developing this regulatory proposal, the Board has conducted a

search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

## **DISCLOSURES REGARDING THIS PROPOSED ACTION**

### **FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** None. The proposed regulations do not result in a fiscal impact to the state. This proposal clarifies the application process and documentation required for architectural licensure. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

The proposed regulations do not result in costs or savings in federal funding to the state.

**Nondiscretionary Costs/Savings to Local Agencies:** None.

**Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement:** None.

**Mandate Imposed on Local Agencies or School Districts:** None.

**Significant Effect on Housing Costs:** None.

### **BUSINESS IMPACT ESTIMATES**

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The rulemaking file includes the facts, evidence, documents, testimony, and/or other evidence that supports this determination. The Board has not considered proposed alternatives that would lessen any adverse economic impact on business and invites submission of such proposals.

#### **Cost Impact on Representative Private Person or Business**

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS:**

**Impact on Jobs / Businesses:** The Board has determined that this regulatory proposal will not impact the creation of new jobs or businesses, the elimination of existing jobs or

businesses, or the expansion of existing businesses in California.

**Benefits of Regulation:** The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by aligning licensure requirements with the national standards. This regulatory proposal does not affect worker safety, or the state's environment.

**Business Reporting Requirements:** The regulatory action does not require businesses to file a report with the Board.

**Effect on Small Business:** The Board has determined that the proposed regulations will not affect small businesses. Although small businesses owned by candidates of the Board may be impacted, any costs of compliance are a result of current law.

### **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit written comments relevant to the above determinations at the Board's office at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

### **AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 2420 Del Paso Road, Suite 105, Sacramento, California 95834.

### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the

full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

**AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

**CONTACT PERSONS**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Timothy Rodda  
Address: 2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone No.: 279.895.1246  
E-Mail Address: timothy.rodde@dca.ca.gov

The backup contact person is:

Name: Laura Zuniga  
Address: 2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone No.: 916.471.0760  
E-Mail Address: laura.zuniga@dca.ca.gov

**AVAILABILITY OF DOCUMENTS ON THE INTERNET:**

Materials regarding this proposal can be found at [https://www.cab.ca.gov/news/laws/proposed\\_regulation.shtml](https://www.cab.ca.gov/news/laws/proposed_regulation.shtml).

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at [https://www.cab.ca.gov/news/laws/proposed\\_regulation.shtml](https://www.cab.ca.gov/news/laws/proposed_regulation.shtml).