

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. 100 Agency: Board for Registration of Architects

Rule No. 100-X-6-.04

Rule Title: Disciplinary Procedures.

       New;   X   Amend;        Repeal;        Adopt by Reference

Would the absence of the rule significantly harm or endanger the public health, welfare or safety?   No  

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?   Yes  

Is there another, less restrictive method of regulation available that could adequately protect the public?   No  

Does the rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?   No  

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of this rule?   No  

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?   Yes  

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?   No  

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Does the proposed rule have any economic impact?   No  

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Elizabeth A. Pa

Date 6/12/2018

BOARD FOR REGISTRATION OF ARCHITECTS  
100 North Union Street, Suite 390  
Montgomery, AL 36130-4450  
(334) 242-4179

NOTICE OF INTENDED ACTION

AGENCY NAME: Board for Registration of Architects

RULE NO. AND TITLE:

100-X-6-.04 Disciplinary Procedures

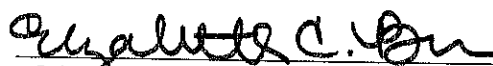
INTENDED ACTION: Amend rule.

SUBSTANCE OF PROPOSED ACTION: This proposed amendment changes the requirement of notice via registered to certified. It also proposes to amend the reference to the Alabama Administrative Procedure Act.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments should be addressed to the Board for Registration of Architects at the above address, fax number (334) 242-4531 or email at Elizabeth.Bern@boa.alabama.gov and must be received no later than August 6, 2018.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 6, 2018.

CONTACT PERSON AT AGENCY: Elizabeth Bern at (334) 242-4179 or Elizabeth.Bern@boa.alabama.gov.



Elizabeth C. Bern  
Executive Director

**100-X-6-.04 Disciplinary Procedures.** If the Probable Cause Committee determines that charges should be filed, the respondent is notified of the specific nature of the charges and the Board's proposed settlement of the issues. Said notice shall be sent by ~~certified~~registered mail, return receipt requested, to the respondent's last known address. If a hearing is to be scheduled, the notice shall be sent by ~~certified~~registered mail, return receipt requested, to the respondent's last known address not less than ten (10) days before the date of the scheduled hearing. The Board will conduct the hearing with the assistance of a hearing officer, who will hear all competent and relevant evidence in support of the charges. The hearing will be conducted in accordance with the Alabama Administrative Procedures Act, Section 41-22-13, Code of Ala. 1975. Upon conclusion of the hearing, the members of the

Board (excluding the Probable Cause Committee Board member) will determine the appropriate action to be taken, and shall notify, or cause to be notified, the respondent of such action. If the Board suspends or revokes a registration, or issues a reprimand or fine against the respondent, he or she may appeal to the Circuit Court of Montgomery County, Alabama.

**Author:** Board for Registration of Architects

**Statutory Authority:** Code of Ala. 1975, §34-2-34

**History: New Rule:** Filed February 19, 2010; effective March 26, 2010.