

SECOND REGULAR SESSION

SENATE BILL NO. 805

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JACOB.

Read 1st time January 21, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3504.011

AN ACT

To amend chapter 327, RSMo, by adding thereto one new section relating to design/build contracts.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 327, RSMo, is amended by adding thereto one new section, to be known as section 327.395, to read as follows:

327.395. 1. Any person or corporation that enters into a design/build contract for public or private construction shall be exempt from the requirement that such person be licensed or such corporation be authorized by the board as long as the architectural, engineering or land surveying services to be performed under the contract are performed by persons who are duly licensed in this state and who are not employees of the design/build contractor, or provided such services are performed by corporations that hold current certificates of authority from the board for the appropriate profession.

2. Any design/build contractor who performs the design work itself, or who practices architecture, professional engineering or professional land surveying through his, her or its own employees, or who contracts to do so, must hold a current license or certificate of authority from the board for the professions so practiced.

3. Nothing in this chapter shall prohibit the enforcement of a design/build contract by an unlicensed or unauthorized person or entity who merely furnishes, but does not itself, or through its employees, perform the architectural, engineering or surveying required by the contract and who does not hold itself out as able to perform such services.

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