



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia  
Secretary Of State

## NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: Architects

RULE TYPE: Legislative

TITLE-SERIES: 2-03

RULE NAME: 02-03 Fees for Registration of Architects

CITE AUTHORITY: W.Va. Code 30-12-3, 30-1-4, 30-1-23

The above proposed Legislative rules, following review by the Legislative Rule Making Review Committee, is hereby modified as a result of review and comment by the Legislative Rule Making Review Committee. The attached modifications are filed with the Secretary of State.

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

Yes

**Emily B Papadopoulos -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**

TITLE 2  
LEGISLATIVE RULE  
BOARD OF ARCHITECTS

SERIES 3  
FEES FOR REGISTRATION OF ARCHITECTS

**§2-3-1. General.**

1.1. Scope. -- This rule sets fees related to the registration of architects as provided in W. Va. Code §§3-1-6 and 30-12-1, et seq.

1.2. Authority. -- W. Va. Code §30-1-6.

1.3. Filing Date. -- ~~May 6, 2009~~

1.4. Effective Date. -- ~~May 6, 2009~~

1.5 Sunset Date. - - This rule shall terminate and have no further force and effect upon the expiration of five years from its effective date.

**§2-3-2. Definitions.**

2.1. ~~Terms Defined by Statute~~— Terms defined in W. Va. Code §30-12-2 have the same meanings when used in this rule unless the context or subject matter clearly requires a different interpretation.

2.2. ~~Terms Defined~~— Terms defined in “Title 2 Legislative Rule Board of Architects – Series 1 – Registration of Architect” have the same meanings when used in this rule unless the context or subject matter clearly requires a different interpretation.

2.3 ~~Terms Defined~~— As used in this rule, the following terms have the following meanings unless context or subject matter requires a different interpretation:

2.3.1 Initial –means obtaining a license for the practice of architecture in West Virginia for the first time.

2.3.2 Low income individuals – individuals in the local labor market as defined in W.Va. Code §21-1C-2 of this code whose household adjusted gross income is below 130 percent of the federal poverty line. This term also includes any person enrolled in a state or federal public assistance program including, but not limited to, the Temporary Assistance for Needy Families Program, Medicaid, or the Supplemental Nutrition Assistance Program (SNAP).

2.3.2 Military Families – any person who serves as an active member of the armed forces in the United States, the National Guard, or a reserve component as described in 38 U.S.C. §101, honorably discharged veterans of those forces, and their spouses. This term also includes surviving spouses of deceased service members who have not remarried.

**§2-3-3. Fees.**

3.1. The applicant shall pay with his or her application for registration or reciprocal registration a non-refundable filing fee in the amount of one hundred dollars (\$100.00) unless the applicant's request for a waiver of the fee is accepted by the Board pursuant to sections 3.9 or 3.10.

3.2. The applicant shall pay directly to NCARB or its designee all fees related to the cost of the A.R.E. or any division of the A.R.E.

3.3. The applicant for registration or reciprocal registration shall pay the Board fifty dollars (\$50.00) for a printed certification evidencing registration as an architect unless the applicant's request for a waiver of the fee is accepted by the Board pursuant to sections 3.9 or 3.10.

3.4. The applicant shall pay a fee to the Board of seventy-five dollars (\$75.00) for the annual renewal of a certificate of registration. An initial certificate of registration expires on June 30th of the year following initial registration, and annual renewals expire on June 30th of each year thereafter.

3.5. The nonresident applicant for reciprocal registration shall pay to the Board, in addition to the filing fee accompanying the application and the fee for the printed certification, two hundred fifty dollars (\$250.00) for registration unless the applicant's request for a waiver of the fee is accepted by the Board pursuant to section 3.9 or 3.10.

3.6. The applicant shall pay to the Board for the renewal of an inactive certificate of registration one hundred fifty dollars (\$150.00), if the inactive certificate of registration is renewed within ~~twelve~~ six months (~~12~~) (6) after the renewal date.

3.7. The applicant shall pay to the Board for reinstatement of an inactive certificate of registration two hundred fifty dollars (\$250.00), if the inactive certificate of registration is reinstated more than twelve (12) months but not exceeding five years after the renewal date.

3.8. Architects registered in West Virginia who seek a verification of certification for other jurisdictions shall pay to the Board twenty-five (\$25.00) for a verification of certification.

3.9. Low-income individuals, as defined in this rule, may seek a waiver of the initial fees set forth in Sections 3.1, 3.3, and 3.5 for registration as an architect in accordance with W.Va.Code §30-1-23. Waiver requests must be submitted at the time of the application for registration on a form prescribed by the Board and must include all verification documents required by the Board. The Board shall process the request within 30 days.

3.10 Military families, as defined in this rule, may seek a waiver of the initial fees set forth in Sections 3.1, 3.3, and 3.5 for registration as an architect in accordance with W.Va.Code §30-1-23. Waiver requests must be submitted at the time of the application for registration on a form prescribed by the Board and must include all verification documents required by the Board. The Board shall process the request within 30 days.