

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1409

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CAMPBELL.

Read 1<sup>st</sup> time January 10, 2002, and 1000 copies ordered printed.

Read 2<sup>nd</sup> time January 14, 2002, and referred to the Committee on Professional Registration and Licensing, January 31, 2002.

Reported from the Committee on Professional Registration and Licensing March 5, 2002, with recommendation that the bill Do Pass by Consent.

Perfectured by Consent March 14, 2002.

TED WEDEL, Chief Clerk

3560L.01P

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## AN ACT

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

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*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  
2 known as section 327.465, to read as follows:

**327.465. 1. As used in this section, the following terms shall mean:**

2 (1) "Design-build", a project for which the design and construction services are  
3 furnished under one contract;

4 (2) "Design-build contract", a contract between the owner, owner's agent, tenant,  
5 or other party and a design-build contractor to furnish the architecture, engineering, and  
6 related design services, and the labor, materials, and other construction services required  
7 for a specific public or private construction project;

8 (3) "Design-build contractor", any individual, partnership, joint venture,  
9 corporation, or other legal entity that furnishes architecture or engineering services and  
10 construction services either directly or through subcontracts.

11 2. Any design-build contractor that enters into a design-build contract for public  
12 or private construction shall be exempt from the requirement that such person or entity  
13 hold a certificate of registration or such corporation hold a certificate of authority if the  
14 architectural, engineering, or land surveying services to be performed under the contract

15 are performed by:

16 (1) Persons who hold a certificate of registration for the appropriate profession and  
17 who are not employees of the design-build contractor; or

18 (2) Corporations that hold current certificates of authority from the board for the  
19 appropriate profession.

20 3. Any design-build contractor who performs the design work directly, or who  
21 practices architecture, professional engineering, or professional land surveying through  
22 the contractor's employees, or who contracts to do so, shall hold a current certificate of  
23 registration or certificate of authority from the board for the professional so practiced.

24 4. Nothing in this chapter shall prohibit the enforcement of a design-build contract  
25 by an unregistered or unauthorized design-build contractor who only furnishes, but does  
26 not directly or through its employees perform, the architectural, engineering, or surveying  
27 required by the contract and who does not hold itself out as able to perform such services.