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Chapter No. 387

11/HR40/R242

GP 120

***HOUSE BILL NO. 463***

Originated in House Don Richardson Clerk

HOUSE BILL NO. 463

AN ACT TO AMEND SECTION 73-1-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THE BOARD OF ARCHITECTURE'S LIABILITY FOR LEGAL COSTS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 73-1-25, Mississippi Code of 1972, is amended as follows:

73-1-25. (a) It is unlawful and it is a misdemeanor punishable by a fine of not exceeding One Thousand Dollars (\$1,000.00) or by imprisonment of not exceeding ninety (90) days, or both, for a person to practice architecture, as defined in this chapter, without current certificate in this state, or to advertise or put out any sign or card or other device which might indicate to the public that the person is entitled to practice as an architect.

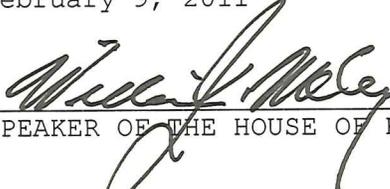
(b) If any person, firm or corporation violates any of the provisions of this chapter, the secretary of the board shall, upon direction of a majority of the board, in the name of the State of Mississippi, acting through an attorney employed by the board, apply in any chancery court of competent jurisdiction for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the proper court, such court or any judge thereof, if satisfied by the sworn petition, by affidavit or otherwise, that such person has violated this chapter, may issue a temporary injunction on five (5) days' notice to the defendant enjoining such continued violation, and such injunction shall remain in force and effect until a final hearing. If at such hearing it is

established that such person has violated, or is violating this chapter, the court may enter a decree permanently enjoining such violation or enforcing compliance with this chapter and awarding all cost and expenses, including reasonable attorney's fees, to the board. \* \* \* In case of violation of any decree issued in compliance with this subsection, the court may try and punish the offender for contempt of court and shall fine the offender a sum of not less than Two Hundred Fifty Dollars (\$250.00) per offense. Each day of the violation is a separate offense, and the court shall proceed as in other cases in chancery.

(c) The proceedings in this section shall be in addition to and not in lieu of the other remedies and penalties provided in this chapter.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2011.

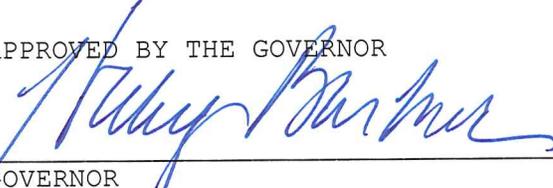
PASSED BY THE HOUSE OF REPRESENTATIVES  
February 9, 2011

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 2, 2011

  
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PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
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GOVERNOR  
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