

3/17/15

3:10 P.M.

Chapter No. 370  
15/SS26/R751  
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***SENATE BILL NO. 2573***

Originated in Senate

*[Handwritten Signature]*

Secretary

SENATE BILL NO. 2573

AN ACT TO AMEND SECTIONS 73-1-31 AND 73-73-33, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROCEDURE FOR TAKING AN APPEAL FROM AN ORDER OF THE STATE BOARD OF ARCHITECTURE REVOKING A CERTIFICATE TO PRACTICE ARCHITECTURE OR CERTIFIED INTERIOR DESIGN; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 73-1-31, Mississippi Code of 1972, is amended as follows:

73-1-31. Within thirty (30) days after \* \* \* entry of a final order \* \* \* or judgment \* \* \* denying or revoking a certificate to practice architecture, whether an initial licensure or renewal, or action of the board as a result of disciplinary proceedings conducted under this section, any person aggrieved thereby may appeal such order, judgment or action either to the chancery court of the county wherein the appellant resides or to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon giving bond with sufficient security in the amount of Five Hundred Dollars (\$500.00), approved by the clerk of the chancery court and conditioned to pay any costs which may be

adjudged against such person. If the appellant is a nonresident of this state, the appeal shall be made to the Chancery Court of the First Judicial District of Hinds County, Mississippi.

Notice of appeal shall be filed in the office of the clerk of the chancery court, who shall issue a writ of certiorari directed to the board commanding it within ten (10) days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken. The content of the briefs shall be in accordance with M.R.A.P. 28 and the briefing schedule shall be in accordance with M.R.A.P. 31 unless the court, in its discretion, directs otherwise. The appeal shall thereupon be heard in due course by the court, and the court shall review the record and make its determination of the cause between the parties within sixty (60) days of the close of briefing.

Any order, judgment or decision of the board shall not take effect until after the time for appeal to the court shall have expired. All appeals perfected hereunder shall act as a supersedeas of the order, judgment or action appealed from.

Actions taken by the board in suspending a certificate of registration when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a suspension of a certificate that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163,

as the case may be, rather than the procedure specified in this section.

**SECTION 2.** Section 73-73-33, Mississippi Code of 1972, is amended as follows:

73-73-33. Within thirty (30) days after \* \* \* entry of a final order \* \* \* or judgment \* \* \* denying or revoking a certificate to practice as a Certified Interior Designer, whether an initial licensure or renewal, or action of the board as a result of disciplinary proceedings conducted under this section, any person aggrieved may appeal the order, judgment or action either to the chancery court of the county in which the appellant resides or to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon giving bond with sufficient security in the amount of Five Hundred Dollars (\$500.00), approved by the clerk of the chancery court and conditioned to pay any costs which may be adjudged against the person. If the appellant is a nonresident of this state, the appeal shall be made to the Chancery Court of the First Judicial District of Hinds County, Mississippi.

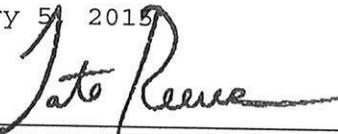
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accordance with M.R.A.P. 31 unless the court, in its discretion, directs otherwise. The appeal shall be heard in due course by the court, and the court shall review the record and make its determination of the cause between the parties within sixty (60) days of the close of briefing.

Any order, judgment or decision of the board shall not take effect until after the time for appeal to the court shall have expired. All appeals perfected under this section shall act as a supersedeas of the order, judgment or action appealed from.

**SECTION 3.** This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE  
February 5, 2015



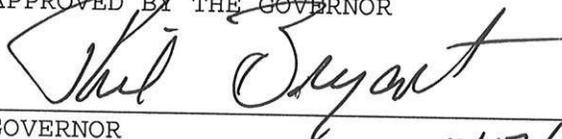
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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 5, 2015



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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



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GOVERNOR

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