

(B) SOLE PRACTITIONER EXCEPTION.

SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO A LICENSED ARCHITECT WHO OPERATES THE BUSINESS AS THE SOLE PRACTITIONER.

REVISOR'S NOTE: This section is new language added to state expressly that which only was implied by the second sentence of former Art. 56, § 470(a) -- i.e., a person may not represent to the public that the person is authorized to operate a business through which architecture is practiced unless the person holds a permit issued by the Board -- and to conform to comparable provisions in other titles of this article. This addition clarifies that the prohibition is not limited to corporations or partnerships.

Defined terms: "Architect" § 3-101
 "Board" § 3-101 "Licensed architect" § 3-101
 "Permit" § 3-101 "Person" § 1-101
 "Practice architecture" § 3-101

3-605. PENALTIES.

A PERSON WHO VIOLATES § 3-601 OR § 3-603 OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$3,000 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, § 475, as that section related to penalties for practicing without a license.

The reference to "§ 3-603" is added to clarify that the penalties in this section also apply to misrepresentation as an authorized practitioner and, thus, to conform to similar provisions in numerous other occupational laws in the Code. A literal reading of former Art. 56, § 475 would indicate that its penalties applied only to practicing architecture without a license. However, misrepresentation as an authorized practitioner was clearly intended to be a prohibited act under the provisions of former Art. 56, §§ 463 and 469, which are revised as § 3-603 of this subtitle. It is inherent in that prohibition that the penalties of this section apply to misrepresentation as an authorized practitioner.

The former phrase "for each violation" is deleted as surplusage.