

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 54.1-402.2, relating to the Board*
3 *for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape*
4 *Architects; powers; cease and desist orders; penalty.*

5 [H 1801]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That the Code of Virginia is amended by adding a section numbered 54.1-402.2 as follows:**9 *§ 54.1-402.2. Cease and desist orders for unlicensed activity; civil penalty.*

10 *A. Notwithstanding § 54.1-111, the Board may issue an order requiring any person to cease and*
11 *desist from (i) practicing or offering to practice as an architect, professional engineer, or land surveyor*
12 *when such person is not licensed or registered by the Board in accordance with this chapter or (ii)*
13 *holding himself out as a landscape architect or certified landscape architect or certified interior*
14 *designer when such person is not certified or registered by the Board in accordance with this chapter.*
15 *The order shall be effective upon its entry and shall become final unless such person files an appeal*
16 *with the Board in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) within 21 days of*
17 *the date of entry of the order.*

18 *B. If the person fails to cease and desist the unlicensed, uncertified, or unregistered activity after*
19 *entry of an order in accordance with subsection A, the Board may refer the matter for enforcement*
20 *pursuant to § 54.1-306.*

21 *C. Any person engaging in unlicensed, uncertified, or unregistered activity shall be subject to further*
22 *proceedings before the Board and the Board may impose a civil penalty not to exceed \$2,500. Any*
23 *penalties collected under this section shall be paid to the Literary Fund after deduction of the*
24 *administrative costs of the Board in furtherance of this section.*

25 *D. Nothing contained in this section shall apply to any person engaged in activity exempted from the*
26 *provisions of this chapter.*

ENROLLED

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