

**SUBJECT:** Examination fees for architect registrations

**COMMITTEE:** Licensing and Administrative Procedures — committee substitute recommended

**VOTE:** 6 ayes — Wilson, Goolsby, Haggerty, Pickett, Torres, Yarbrough  
0 nays  
3 absent — Kubiak, Hamric, D. Jones

**SENATE VOTE:** On final passage, February 5 — 30-0

**WITNESSES:** For — Jacqueline Dodson and Jan Blackmon, Texas Society of Architects  
Against — None  
On — Cathy Hendricks, Texas Board of Architectural Examiners

**BACKGROUND :** The 1995 General Appropriations Act authorizes the Texas Board of Architectural Examiners to charge a fee of \$525 for professionals to take the Architecture Registration Examination (ARE) required for certification. The National Council of Architectural Registration Board (NCARB), the only manufacturer of the national exam, has developed a new computerized national examination that is replacing the four-day paper and pencil examination. NCARB has raised the exam fee to \$1,020.

**DIGEST:** CSSB 218 would provide that anyone applying to take the ARE who already passed parts of a previous exam and had only one or two parts left to take could complete the examination and pay a fee not to exceed \$300. This section would expire on September 1, 1997.

CSSB 218 also would stipulate that the Texas Board of Architectural Examiners could not agree to raise the exam fee until a series of public hearing were held around the state to determine if an increase was warranted.

The bill would take immediate effect if finally approved by a two-thirds

record vote of the membership in each house.

**SUPPORTERS  
SAY:**

CSSB 218 would provide a sound and equitable means of resolving problems stemming from the new ARE fee.

The proposed fee increase is excessive and would impose a significant financial burden on those hoping to become licensed architects. Raising the fee would limit access for many individuals who might not be able to afford the higher costs of taking the exam. The increase would fall disproportionately on architectural interns who earn less than starting physicians or attorneys, but who would be asked to pay more for their professional license than these other professionals.

The immediate problem involves people who have completed all but one or two sections of the nine sections on the exam. These individuals need to be able to complete the test at a reduced cost. Those who are this close to completing their licensure requirements should not be forced to wait until the fee issue can be resolved.

In the longer term, the board needs to gather input from around the state before it decides whether or not to raise the fee in accordance with the NCARB increase. NCARB has not sufficiently demonstrated the need for raising the fees, especially since technological advances usually lower the cost for services instead of increasing them. Twelve other states have also protested the fee increase, including Nevada, which has similar statutory problems and is not currently administering the test.

CSSB 218 would not prevent anyone from taking the test from another state. Until the board makes a decision, persons are free to apply to have their records sent to another state, go to a testing center and take the test. They can take the exam, section by section, and pay for it as they go. Through reciprocity equivalency, the board would recognize a test taken in another state as part of the licensing requirements of Texas.

**OPPONENTS  
SAY:**

CSSB 218 would delay resolution of the architect's exam problem. Currently, the exam is not being given at all in Texas. Nearly 800 individuals who are eligible to take the exam are being denied access to their profession. Until the issue of the fee increase is resolved, their professional

lives are on hold. The bill should include a provision that would allow those who could afford to take the entire exam to do so.

The bill also would fail to address the needs of individuals who have taken a substantial part of the exam but have more than one or two sections left to take. One alternative might be to allow those candidates to take and pay for as many sections that equal \$525, which was the cost of the exam prior to the increase.

Taking the exam in another state would generate additional costs from having records transferred, physically taking the test, and then applying for recognition of the exam in Texas. If the board would recognize an exam taken in this way, why not simply allow Texas residents to take the exam in Texas if they wish to pay the increased fee?

CSSB 218 would require the board to hold public hearings around the state but would make no appropriation or indicate how hearing expenses would be paid. Any projected increase could instead be posted in the Texas Register for public comment. The board could also continue to work with NCARB to reduce the fee for the test.

OTHER  
OPPONENTS  
SAY:

CSSB 218 is unnecessary; there is no reason to hold any hearings. The state of Texas should accept the fact that testing methods change and prices increase. A major factor in the price increase is the new design of the exam, which has been structured for the convenience of those taking the test. This state-of-the-art exam can be scheduled after work and on Saturdays and even can be rescheduled. Testing dates would be offered year-round at 15 testing locations across Texas, thus allowing each individual to decide when and where to take the exam. Applicants also would be able to pay for each section as the took it.

Under the previous system for the written exam, all candidates had to travel to Arlington for a four-day session to take all nine sections of the exam. The exam was only given once a year. When the cost of travel, hotel expenses and lost work are calculated, the fee increase is not much more than the actual expenses incurred in taking the traditional examination and in some cases, may even be less.

NOTES:

The committee substitute removed Senate-passed provisions to exempt the board from the rates prescribed by the General Appropriations Act and to repeal a statutory \$300 cap on exam fees. It added provisions allowing persons who were lacking only one or two parts of the exam to take the exam at a cost of \$300 and requiring the board to hold public hearings before it could raise the exam fee.

A rider tentatively adopted by the conference committee on HB 1, the general appropriations bill, would allow the board to charge in excess of \$525 for the exam provided that it aggressively pursued actions to reduce the cost of the national exam fee. The board also would be required to submit to the LBB by August 1 of each year a report on the actions it had taken to reduce the exam rate and the proposed fee to be charged effective September 1 of each year. In the event the LBB determined that the board's efforts had not resulted in a reasonable exam fee, the board would have to take appropriate steps to develop a state exam.