

CHAPTER 433

AN ACT concerning insurance for architects and amending P.L.1989, c.275.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 4 of P.L.1989, c.275 (C.45:3-17) is amended to read as follows:

C.45:3-17 Offering of architectural services; requirements.

4. a. Architectural services shall not be rendered or offered through any business associations other than a sole proprietorship of a licensed architect, a partnership of licensed architects, a partnership of closely allied professionals including at least one licensed architect, a professional service corporation established pursuant to "The Professional Service Corporation Act," P.L.1969, c.232 (C.14A:17-1 et seq.), a corporation authorized pursuant to section 5 of P.L.1989, c.275 (C.45:3-18) or as prescribed in the "Building Design Services Act," P.L.1989, c.277 (C.45:4B-1 et seq.).

b. Nothing in this section shall prohibit a licensed architect from rendering architectural services as an agent, director, member, officer, shareholder, associate, employee or partner of a person whose principal business is space planning services, interior design services or the substantial equivalent thereof; provided that the architect, at all times, exercises independent professional judgment in the rendering of architectural services, and adheres to the standards set forth in section 1 of P.L. 1989, c. 275 (C.45:3-1.1).

c. An architect shall, prior to entering into an agreement for architectural services, disclose to any other party to the contract for architectural services the type of professional liability insurance under which the architect is covered.

d. Any architect entering into a public contract for architectural services according to the provisions of chapter 34 of Title 52 of the Revised Statutes, P.L.1971, c.198 (C.40A:11-1 et seq.), N.J.S.18A:18A-1 et seq., or P.L.1986, c.43 (C.18A:64-52 et seq.) shall carry errors and omissions insurance.

2. This act shall take effect immediately.

Approved January 18, 2022.