

**Opinion No. 33-560**

March 4, 1933

**BY:** E. K. NEUMANN, Attorney General

**TO:** Mr. W. M. Brittelle, Chairman, State Board of Examiners for Architects,  
Albuquerque, New Mexico.

{\*28} Your letter of March the 2nd, with {\*29} reference to certain remodeling work upon a certain building, has been received and you specifically refer to Section 8-B of Chapter 155 of the Laws of 1931, which reads as follows:

"Nothing in this Act shall prevent any individual, firm, or corporation from practicing Architecture without being registered, unless the same involves public safety or health; providing, that the work shall be done on residences of less than three stories; and provided, the work shall be done on commercial or industrial or semi-public buildings of less than two stories."

Our interpretation of this section is that it means that an individual or firm or corporation may practice architecture without being registered where the work is done on residences of less than three stories or on commercial, industrial or semi-public buildings of less than two stories, unless such work involves public safety or health. If it does involve public safety or health, then registration is required.

You, of course, can readily see that this involves purely a question of fact as to whether or not public safety or health is concerned or involved.

So far as the word work in this section is concerned, it is our opinion that remodeling is included within this term.

By FRANK H. PATTON,

Asst. Attorney General