

Opinion No. 43-4339

July 21, 1943

BY: EDWARD P. CHASE, Attorney General

TO: Mr. W. C. Kruger, Secretary, New Mexico Board of Examiners for Architects, P. O. Box 308, Santa Fe, New Mexico

In your letter dated July 20, 1943, you state that a registered architect failed to renew his certificate of registration for the year 1942 and now wishes to renew the same, and you desire to know the amount that should be charged him for such renewal.

Section 51-1406, subsection 6-B, 1941 Compilation, provides as follows:

"Certificates of registration shall expire on the last day of the month of December following their issuance or renewal, and shall be invalid after that date unless renewed. Renewal may be effected at any time during the month of December by the payment of a fee of five dollars (\$ 5.00) for a legal resident and ten dollars (\$ 10.00) for a nonresident, to the secretary of the board. The failure on the part of any registrant to renew his certificate annually in the month of December, as required above shall not deprive such person of the right of renewal thereafter, but the fee to be paid for the renewal of a certificate after the month of December shall be increased ten per cent (10%) for each month or a fraction of a month that the payment for renewal is delayed; provided, however, that the maximum fee, for a delayed renewal shall not exceed twice the normal fee, for each and every year that the registrant remains in default."

If the normal fee is \$ 10 and the penalty is 10% per month, the penalty would amount to \$ 1 per month and would run from January 1, 1942, until August 1, 1943, which would be 17 months. The amount, then, required to renew such certificate would be \$ 10 plus the penalty of \$ 17, making a total of \$ 27. If the normal fee is \$ 5 the amount required for renewal would be \$ 13.50 to date.

By C. C. McCULLOH

First Asst. Atty. Gen.