

**STATE OF WISCONSIN
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS,
AND REGISTERED INTERIOR DESIGNERS**

IN THE MATTER OF RULEMAKING	:	REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE	:	CR 25-082
EXAMINING BOARD OF	:	
ARCHITECTS, LANDSCAPE	:	
ARCHITECTS, PROFESSIONAL	:	
ENGINEERS, DESIGNERS,	:	
PROFESSIONAL LAND SURVEYORS,	:	
AND REGISTERED INTERIOR	:	
DESIGNERS	:	

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA are attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

Chapter 443 of the Wisconsin Statutes regulates professional architects, engineers, designers, registered interior designers, and firms, partnerships, or corporations that employ them. One requirement is that for an architect, engineer, designer, or registered interior designer to provide those services acting as an officer, employee, or agent of a firm, the firm must be granted a certificate of authorization by the applicable section of the examining board. This certificate of authorization allows the officer, employee, or agent of the firm to provide those services on behalf of the firm. The certificate of authorization must contain the name and information of all employees of the firm who will be in responsible charge of architecture, engineering, design, or interior design services in the state. The certificate of authorization must be kept up to date by the firm. Currently, these requirements are in statute, but they are not present in the administrative code of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Registered Interior Designers.

The proposed rule creates a new provision under Wis. Admin. Code s. A-E 2.03, Branch Offices, that makes a general statement of the requirements for certificates of authorization. It also clarifies that an individual architect, engineer, designer, or

registered interior designer whose firm is a sole proprietorship does not need a certificate of authorization. The sole proprietorship must be under the same name as the individual architect, engineer, designer, or registered interior designer.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The A-E Rules Committee held a public hearing on the proposed rule on April 1, 2026. No comments were received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

No Clearinghouse comments were received on the proposed rule.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

N/A

STATE OF WISCONSIN
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND
SURVEYORS AND REGISTERED INTERIOR DESIGNERS

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	EXAMINING BOARD OF
EXAMINING BOARD OF ARCHITECTS,	:	ARCHITECTS, LANDSCAPE
LANDSCAPE ARCHITECTS,	:	ARCHITECTS, PROFESSIONAL
PROFESSIONAL ENGINEERS,	:	ENGINEERS, DESIGNERS,
DESIGNERS, PROFESSIONAL	:	PROFESSIONAL LAND
LAND SURVEYORS, AND REGISTERED	:	SURVEYORS, AND
INTERIOR DESIGNERS	:	REGISTERED INTERIOR
	:	DESIGNERS ADOPTING RULES
	:	(CLEARINGHOUSE RULE 25-082)

PROPOSED ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers to create A-E 2.03 (5) relating to certificates of authorization.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Sections 443.08 (2) (a) 1. and 2., (b) 1. and 2., (c) 1. and 2., (d) 1. and 2., and 443.08 (3) (a) 1. to 4., Stats.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) (a), and 443.015 (2), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 443.015 (2), Stats.: “Each section of the examining board may promulgate rules governing the professional conduct of individuals, firms, partnerships, and corporations registered, permitted, certified, or granted a certificate of authorization by that section.”

Related statute or rule:

Sections 443.08 (2) and (3), Stats.

Plain language analysis:

Chapter 443 of the Wisconsin Statutes regulates professional architects, engineers, designers, registered interior designers, and firms, partnerships, or corporations that employ them. One requirement is that for an architect, engineer, designer, or registered interior designer to provide those services acting as an officer, employee, or agent of a firm, the firm must be granted a certificate of authorization by the applicable section of the examining board. This certificate of authorization allows the officer, employee, or agent of the firm to provide those services on behalf of the firm. The certificate of authorization must contain the name and information of all employees of the firm who will be in responsible charge of architecture, engineering, design, or interior design services in the state. The certificate of authorization must be kept up to date by the firm. Currently, these requirements are in statute, but they are not present in the administrative code of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Registered Interior Designers.

The proposed rule creates a new provision under Wis. Admin. Code s. A-E 2.03, Branch Offices, that makes a general statement of the requirements for certificates of authorization. It also clarifies that an individual architect, engineer, designer, or registered interior designer whose firm is a sole proprietorship does not need a certificate of authorization. The sole proprietorship must be under the same name as the individual architect, engineer, designer, or registered interior designer.

Summary of, and comparison with, existing or proposed federal regulation: None.

Comparison with rules in adjacent states:

Illinois:

Rules of the Illinois Department of Financial and Professional Regulation require firm licensure for architects [68 Ill. Adm. Code 1150.80], professional engineers [68 Ill. Adm. Code 1380.290], structural engineers [68 Ill. Adm. Code 1480.200], and professional land surveyors [68 Ill. Adm. Code 1270.45]. The requirements for firm licensure are broadly similar to the requirements of Wisconsin’s certificates of authorization for firms, partnerships, or corporations. Illinois does not require firm licensure for registered interior designers.

Iowa:

Iowa does not require firm licensure for architecture, engineering, land surveying, landscape architecture, design, or interior design firms.

Michigan:

The state of Michigan has a less formal requirement for firm licensure than those of Illinois and Wisconsin, but it does have requirements for architecture, professional engineering, or professional surveying firms [MCL 339.2010]. For a firm to practice those businesses in the state, at least two thirds of the principles of the firm must be licensed by the state in that practice. The firm must register with the state and attest to that fact. A non-licensed principal and the principal's firm may apply for approval to engage in that practice, subject to other rules of conduct. A firm must employ a person in responsible charge of the services offered at each place of business in the state, except at a field office which provides only a review of construction. The state of Michigan does not require firm licensure or any kind of registration for interior design firms.

Minnesota:

Minnesota has extensive requirements for “professional firms” that are set out in the Minnesota Statutes, chapter 319B (the Professional Firms Act). The chapter authorizes practitioners of certain licensed professions to elect to be “professional firms” under any one of three different forms of organization: corporations (either for-profit or nonprofit); limited liability companies; and limited liability partnerships. In order to practice a profession in any form other than sole proprietorship or general partnership, professionals must comply with the Professional Firms Act (unless the rules of the respective licensing board provide otherwise).

In order to operate as a “professional firm”, a Minnesota entity must first be formed under the chosen statute: the Minnesota Business Corporation Act, the Minnesota Nonprofit Corporation Act, the Minnesota Limited Liability Company Act, or the Minnesota Limited Liability Partnership Act. Then, the firm must file with the Secretary of State language stating:

- that the firm elects to be covered by the Minnesota Professional Firms Act.
- that the firm acknowledges that it is subject to those sections.
- specifying the profession or professions to be practiced by the firm.

Architecture, engineering, land surveying, landscape architecture, geoscience, and interior design firms in Minnesota have the option to register and act as a “professional firm”; however, they are not currently required to. Firms offering architecture, engineering, land surveying, landscape architecture, geoscience, and interior design services can legally operate without being registered as a “professional firm”, but can only be a sole proprietorship or general partnership. As a “professional firm”, the firm must file periodic reports with the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design and comply with other provisions of the Professional Firms Act.

Summary of factual data and analytical methodologies:

The proposed rule was developed by the A-E Rules Committee and the A-E Examining Board conducting a review of the statutory requirements for certificates of authorization and determining where more clarification and specificity is needed in the board's code.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules were posted for a period of 20 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis are attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted at Jennifer.Garrett@wisconsin.gov or (608) 266-2112.

Agency contact person:

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822 Madison Yards Way, P.O. Box 14497, Madison, Wisconsin 53708; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. A-E 2.03 (5) is created to read:

A-E 2.03 (5) CERTIFICATES OF AUTHORIZATION. No individual architect, professional engineer, designer, or registered interior designer may practice or offer to practice architecture, engineering, design, or interior design as a principal, officer, employee, or agent of a firm unless the firm has been issued a certificate of authorization under s. 443.08 (3) (a), Stats. This does not apply to an individual architect, professional engineer, designer, or registered interior designer whose firm is a sole proprietorship. The sole proprietorship shall be under the same name as the individual architect, professional engineer, designer, or registered interior designer.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Proposed Order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers is approved for submission to the Governor and the Legislature.

Dated 04/15/2026

Daniel J. Fedderly P.E.; P.L.S.
Chairperson
A-E Rules Committee

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date October 8, 2025
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) A-E 2, 3, 4, 5, 8, and 14	
4. Subject Certificates of Authorization	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected s.20.165(1)(g)
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule Chapter 443 of the Wisconsin Statutes regulates professional architects, engineers, designers, registered interior designers, and firms, partnerships, or corporations that employ them. One requirement is that for an architect, engineer, designer, or registered interior designer to provide those services acting as an officer, employee, or agent of a firm, the firm must be granted a certificate of authorization by the applicable section of the examining board. This certificate of authorization allows the officer, employee, or agent of the firm to provide those services on behalf of the firm. The certificate of authorization must contain the name and information of all employees of the firm who will be in responsible charge of architecture, engineering, design, or interior design services in the state. The certificate of authorization must be kept up to date by the firm. Currently, these requirements are in statute, but they are not present in the administrative code of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Registered Interior Designers. The proposed rule creates a new provision under Wis. Admin. Code s. A-E 2.03, Branch Offices, which makes a general statement of the requirements for certificates of authorization. It also clarifies that an individual architect, engineer, designer, or registered interior designer whose firm is a sole proprietorship does not need a certificate of authorization. The sole proprietorship must be under the same name as the individual architect, engineer, designer, or registered interior designer.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The rule will be posted to the public for Economic Impact Analysis comments as required, and will be subject to an official public hearing, along with other steps of the rule process.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA.	

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

None.

14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

DSPS estimates a total of \$5,800.00 in one-time staffing costs to implement the rule. The estimated need for 0.1 limited term employee (LTE) is for staff training, creating user stories, coordinating board meeting agendas, rule promulgation, legal review & consultation and consultation with board and secretary. The one-time and annual estimated costs cannot be absorbed in the currently appropriated agency budget.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The rule will increase awareness in the A-E professions of the current requirements for certificates of authorization. It will clarify that sole proprietorships do not need a certificate of authorization as long as the name of the firm is the same as the name of the A-E credential holder. In general, both of these will help the A-E industries stay in compliance with statutes. A-E firms and the credential holders working for them will maintain transparency and accountability for the purpose of public health and safety and for the benefit of the industry in Wisconsin. If the rule is not pursued, lack of awareness and confusion over the requirements could continue.

16. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is that it will help maintain transparency and accountability in the A-E industries for the benefit of the industries and public health and safety in the state.

17. Compare With Approaches Being Used by Federal Government

None.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois:

Rules of the Illinois Department of Financial and Professional Regulation require firm licensure for architects [68 Ill. Adm. Code 1150.80], professional engineers [68 Ill. Adm. Code 1380.290], structural engineers [68 Ill. Adm. Code 1480.200], and professional land surveyors [68 Ill. Adm. Code 1270.45]. The requirements for firm licensure are broadly similar to the requirements of Wisconsin's certificates of authorization for firms, partnerships, or corporations. Illinois does not require firm licensure for registered interior designers.

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ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

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19. Contact Name Jake Pelegrin, Administrative Rules Coordinator	20. Contact Phone Number (608) 267-0989
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This document can be made available in alternate formats to individuals with disabilities upon request.

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
-