

1 **CORPORATIONS - PROFESSIONAL**
2 **SERVICES AMENDMENT**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Lyle W. Hillyard**

6 House Sponsor: _____

7
8 **LONG TITLE**

9 **General Description:**

10 This bill amends Title 16, Chapter 11, Professional Corporation Act, to include service
11 provided by a landscape architect as a professional service.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ amends Title 16, Chapter 11, Professional Corporation Act, to include service
15 provided by a landscape architect as a professional service; and
16 ▶ makes technical changes.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **16-11-2**, as last amended by Chapter 280, Laws of Utah 2004

24
25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **16-11-2** is amended to read:

27 **16-11-2. Definitions.**



28 As used in this chapter:

29 (1) "Filed" means the division has received and approved, as to form, a document
30 submitted under the provisions of this chapter, and has marked on the face of the document a
31 stamp or seal indicating the time of day and date of approval, the name of the division, the
32 division director's signature and division seal, or facsimiles of the signature or seal.

33 (2) "Professional corporation" means a corporation organized under this chapter.

34 (3) "Professional service" means the personal service rendered by:

35 (a) a physician, surgeon, or doctor of medicine holding a license under Title 58,
36 Chapter 67, Utah Medical Practice Act, and any subsequent laws regulating the practice of
37 medicine;

38 (b) a doctor of dentistry holding a license under Title 58, Chapter 69, Dentist and
39 Dental Hygienist Practice Act, and any subsequent laws regulating the practice of dentistry;

40 (c) an osteopathic physician or surgeon holding a license under Title 58, Chapter 68,
41 Utah Osteopathic Medical Practice Act, and any subsequent laws regulating the practice of
42 osteopathy;

43 (d) a chiropractor holding a license under Title 58, Chapter 73, Chiropractic Physician
44 Practice Act, and any subsequent laws regulating the practice of chiropractic;

45 (e) a podiatric physician holding a license under Title 58, Chapter 5a, Podiatric
46 Physician Licensing Act, and any subsequent laws regulating the practice of podiatry;

47 (f) an optometrist holding a license under Title 58, Chapter 16a, Utah Optometry
48 Practice Act, and any subsequent laws regulating the practice of optometry;

49 (g) a veterinarian holding a license under Title 58, Chapter 28, Veterinary Practice Act,
50 and any subsequent laws regulating the practice of veterinary medicine;

51 (h) an architect holding a license under Title 58, Chapter 3a, Architects Licensing Act,
52 and any subsequent laws regulating the practice of architecture;

53 (i) a public accountant holding a license under Title 58, Chapter 26a, Certified Public
54 Accountant Licensing Act, and any subsequent laws regulating the practice of public
55 accounting;

56 (j) a naturopath holding a license under Title 58, Chapter 71, Naturopathic Physician
57 Practice Act, and any subsequent laws regulating the practice of naturopathy;

58 (k) a pharmacist holding a license under Title 58, Chapter 17b, Pharmacy Practice Act,

59 and any subsequent laws regulating the practice of pharmacy;

60 (l) an attorney granted the authority to practice law by:

61 (i) the Utah Supreme Court; or

62 (ii) the Supreme Court, other court, agency, instrumentality, or regulating board that

63 licenses or regulates the authority to practice law in any state or territory of the United States

64 other than Utah;

65 (m) a professional engineer registered under Title 58, Chapter 22, Professional

66 Engineers and Professional Land ~~Surveyor~~ Surveyors Licensing Act;

67 (n) a real estate broker or real estate agent holding a license under Title 61, Chapter 2,

68 Division of Real Estate, and any subsequent laws regulating the selling, exchanging,

69 purchasing, renting, or leasing of real estate;

70 (o) a psychologist holding a license under Title 58, Chapter 61, Psychologist Licensing

71 Act, and any subsequent laws regulating the practice of psychology;

72 (p) a clinical or certified social worker holding a license under Title 58, Chapter 60,

73 Part 2, Social Worker Licensing Act, and any subsequent laws regulating the practice of social

74 work;

75 (q) a physical therapist holding a license under Title 58, Chapter 24a, Physical

76 Therapist Practice Act, and any subsequent laws regulating the practice of physical therapy;

77 ~~[or]~~

78 (r) a nurse licensed under Title 58, Chapter 31b, Nurse Practice Act, or Title 58,

79 Chapter 44a, Nurse Midwife Practice Act~~[-]; or~~

80 (s) a landscape architect licensed under Title 58, Chapter 53, Landscape Architects

81 Licensing Act, and any subsequent laws regulating landscape architects.

82 (4) "Regulating board" means the board that is charged with the licensing and

83 regulation of the practice of the profession which the professional corporation is organized to

84 render. The definitions of Title 16, Chapter 10a, Utah Revised Business Corporation Act,

85 apply to this chapter unless the context clearly indicates that a different meaning is intended.

Legislative Review Note

as of 1-20-06 11:09 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number SB0165

Corporations - Professional Services Amendment

25-Jan-06

8:27 AM

State Impact

No fiscal impact.

Individual and Business Impact

Individual and business impacts will vary according to circumstances.

Office of the Legislative Fiscal Analyst