

74-7029. Unlawful acts; prosecution; assistance of attorney general and district or county attorney.

(a) It shall be a class A misdemeanor for any person to:

- (1) Practice or offer to practice or hold one's self out as entitled to practice any technical profession unless the person is licensed as provided in K.S.A. 74-7001 et seq., and amendments thereto, or holds a certificate of authorization issued under K.S.A. 74-7036, and amendments thereto;
- (2) present or attempt to use, as such person's own, the license, certificate of authorization or seal of another;
- (3) falsely impersonate any other practitioner of like or different name;
- (4) give false or forged evidence to the board, or any member thereof, in obtaining a license or certificate of authorization;
- (5) use or attempt to use a license or certificate of authorization that has expired or been suspended or revoked;
- (6) falsely advertise as a licensed practitioner or as the holder of a certificate of authorization;
- (7) use in connection with such person's name, or otherwise assume, or advertise any title or description intended to convey the impression that such person is a licensed practitioner or holds a certificate of authorization; or
- (8) otherwise violate any of the provisions of K.S.A. 74-7001 et seq., and amendments thereto, or any rule and regulation promulgated by the board.

(b) For the purposes of subsection (a)(1), a person shall be construed to practice or offer to practice or hold one's self out as entitled to practice a technical profession if such person:

- (1) Practices any branch of the technical professions;
- (2) by verbal claim, sign, advertisement, letterhead, card or in any other way represents the person to be an architect, landscape architect, professional engineer, professional geologist or professional surveyor;
- (3) through the use of some other title implies that such person is an architect, landscape architect, professional engineer, professional geologist or professional surveyor, or that such person is licensed to practice a technical profession; or
- (4) holds one's self out as able to perform, or does perform, any service or work or any other service designated by the practitioner which is recognized as within the scope of the practice of a technical profession.

(c) The attorney general of the state or the district or county attorney of any county, at the request of the board, shall render such legal assistance as may be necessary in carrying out the provisions of K.S.A. 74-7001 et seq., and amendments thereto. Upon the request of the board, the attorney general or district or county attorney of the proper county shall institute in the name of the state or board the proper proceedings against any person regarding whom a complaint has been made charging such person with the violation of any of the provisions of K.S.A. 74-7001 et seq., and amendments thereto. The attorney general, and such district or county attorney, at the request of the attorney general or of the board, shall appear and prosecute any and all such actions.

History: L. 1978, ch. 326, § 21; L. 1980, ch. 244, § 9; L. 1992, ch. 240, § 19; L. 2009, ch. 94, § 10; L. 2014, ch. 88, § 21; July 1.