

1 HB374
2 137462-2
3 By Representative Tuggle
4 RFD: Boards, Agencies and Commissions
5 First Read: 21-FEB-12

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ENROLLED, An Act,

To amend Sections 34-17-20, 34-17-21, 34-17-22, 34-17-24, and 34-17-25 of the Code of Alabama 1975, relating to landscape architects; to allow for the use of the title "registered landscape architect"; to clarify the status of the master's and doctoral degrees in fulfilling the education requirements; to delete the provision that allows eight years of practical experience qualification for a license; to provide for the licensing examination to be digital; to change the date in which delinquency notices for failure to pay a license fee can be mailed; and to establish a fee to administer the supplemental state examination.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-17-20, 34-17-21, 34-17-22, 34-17-24, and 34-17-25 of the Code of Alabama 1975, are amended to read as follows:

"§34-17-20.

"(a) In order to safeguard public welfare, health and property and to promote public good, any person practicing or offering to practice landscape architecture, privately or in public service, shall be required to submit evidence that he or she is qualified to practice ~~and shall become registered~~ as hereinafter provided. It shall be unlawful for any person to practice landscape architecture or to use the term or title

1 "landscape architect" or "registered landscape architect"
2 unless duly licensed under the provisions of this chapter.

3 "(b) The state board shall adopt a program of
4 continuing education for its licensees not later than October
5 1, 1993, and after ~~said~~ that date no licensee shall have his
6 or her active license renewed unless, in addition to any other
7 requirements of this chapter, the minimum continuing annual
8 education requirements are met. It is further provided that
9 the continuing education program herein required shall not
10 include testing or examination of the licensees in any manner.

11 "§34-17-21.

12 "For licensing as a landscape architect, the
13 following evidence shall be submitted that the applicant:

14 "(1) Is at least 19 years of age.

15 "(2) Has, before making application to the board,
16 completed the course of study in and been graduated from a
17 college or school of landscape architecture approved by the
18 board. The application for examination shall be accompanied by
19 proof of actual practical experience in landscape
20 architectural work of a grade and character satisfactory to
21 the board. Each complete year of study in an approved college
22 or school of landscape architecture ~~may~~ shall be accepted in
23 lieu of one year of practical experience, and the applicant
24 shall submit evidence of sufficient additional acceptable
25 experience to total five years of combined education and

1 practical experience. The master's or doctoral degree in
2 landscape architecture shall fulfill the requirements for five
3 years combined education and practical experience. The
4 applicant shall also submit proof of one additional year of
5 practical experience sufficient to total six years of combined
6 education and practical experience. In lieu of graduation from
7 an accredited college or school of landscape architecture, and
8 the practical experience in addition thereto, an applicant may
9 be admitted to the examination upon presenting evidence of at
10 least eight years of actual practical experience in landscape
11 architectural work of a grade and character satisfactory to
12 the board.

13 In order to qualify for the exemption from the
14 requirement to obtain a degree in landscape architecture based
15 on eight years of practical experience, an applicant must have
16 begun accepting practical experience prior to the passage of
17 this act.

18 "§34-17-22.

19 "Examinations for the license shall be held by the
20 board at least once each year. The board shall adopt rules and
21 regulations covering the subjects and scope of the
22 examinations, shall publish appropriate announcements and
23 shall conduct the examinations at the times designated. Except
24 as hereinafter provided in this chapter to the contrary, every
25 applicant for licensing as a landscape architect shall be

1 required, in addition to all other requirements, to establish
2 by ~~written~~ a board approved examination, which may be digital,
3 his or her competence to plan, design, specify, and supervise
4 the installation of landscape projects. Each ~~written board~~
5 approved examination may be supplemented by such oral
6 examinations as the board shall determine.

7 "§34-17-24.

8 "(a) Every landscape architect shall pay an annual
9 license fee to the board. The fee shall be due and payable on
10 the first day of January of each year and shall become
11 delinquent after the thirty-first day of January.

12 "(b) If the annual license fee is not paid before it
13 becomes delinquent a penalty of \$50.00 shall be added to the
14 amount thereof per year.

15 "(c) If the annual license fee and penalty are not
16 paid before the ~~thirtieth~~ fifteenth day of ~~June~~ March in the
17 year in which they become due, the landscape architect's
18 certificate shall be suspended from and after the expiration
19 of 30 days from the date of mailing of notice of such
20 delinquency by registered or certified mail, return receipt
21 requested, postage prepaid and addressed to the landscape
22 architect at his or her address as it appears on the records
23 of the board. The notice of delinquency shall state that upon
24 the expiration of time herein allowed his or her certificate

1 will be suspended unless, within ~~said~~ that time, the annual
2 license fee and penalty are remitted.

3 "(d) After the certificate has been suspended, it
4 may be reinstated upon the payment of the annual license fee
5 and such proof of the landscape architect's qualifications as
6 may be required in the sound discretion of the board.

7 "(e) The board shall issue a receipt to each
8 landscape architect promptly upon payment of the annual
9 license fee.

10 "§34-17-25.

11 "The fees prescribed by this chapter shall be in the
12 following amounts:

13 "(1) The fee for application to the board is
14 seventy-five dollars (\$75).

15 "(2) The fee for examination or reexamination shall
16 be in an amount as established by the board in order to cover
17 all costs of examination, but in no event shall the fee exceed
18 the actual cost of preparing and administering the
19 examination.

20 "(3) The fee for an original certificate is fifty
21 dollars (\$50).

22 "(4) The fee for a duplicate certificate is fifty
23 dollars (\$50).

24 "(5) The annual license fee is one hundred fifty
25 dollars (\$150) ~~for residents of Alabama and for nonresidents.~~

1 "(6) The penalty fee is fifty dollars (\$50), as
2 provided in Section 34-17-24.

3 "(7) The fee for administration of the supplemental
4 examination on the statutes governing the practice of
5 landscape architecture in Alabama is one hundred fifty dollars
6 (\$150)."

7 Section 2. This act shall become effective on the
8 first day of the third month following its passage and
9 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 20-MAR-12.

Greg Pappas
Clerk

Senate	10-MAY-12	Amended and Passed
House	10-MAY-12	Concurred in Sen- ate Amendment