

1 SB43
2 134111-1
3 By Senator Whatley
4 RFD: Small Business
5 First Read: 07-FEB-12
6 PFD: 09/23/2011

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8 SYNOPSIS: Under existing law, any person who practices
9 landscape architecture or uses the title "landscape
10 architect" must be licensed.

11 This bill would add the title "registered
12 landscape architect" and would also require a
13 license.

14 Under existing law, as an alternative to
15 other licensing requirements, any person with at
16 least eight years of actual practical experience in
17 landscape architectural work may qualify for a
18 license.

19 This bill would delete the alternative
20 licensing for eight years of actual practical
21 experience and require a licensed landscape
22 architect to have educational experience from an
23 approved landscape architectural school and submit
24 proof of practical experience to qualify for a
25 license.

1 Under existing law, to become a licensed
2 landscape architect, an applicant would take a
3 written examination.

4 This bill would require the applicant to
5 take a board approved examination.

6 Under exiting law, a landscape architect
7 must pay, on the first day of January of each year,
8 an annual license fee to the board. If the fee is
9 not paid by the thirtieth day of June of the year a
10 delinquency notice may be mailed and after 30 days
11 the architect's certificate shall be suspended.

12 This bill would change the date of the
13 delinquency notice to the fifteenth day of March.

14
15 A BILL

16 TO BE ENTITLED

17 AN ACT

18
19 To amend Sections 34-17-20, 34-17-21, as amended by
20 Act No. 2011-166, 2011 Regular Session (Acts 2011, p. ____),
21 34-17-22, and 34-17-24 of the Code of Alabama 1975, relating
22 to landscape architects; to allow for the use of the title
23 "registered landscape architects"; to delete the provision
24 that allows eight years of practical experience qualification
25 for a license; to provide further for the licensing
26 examination; and to change the date in which delinquency
27 notices for failure to pay a license fee can be mailed.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Sections 34-17-20, 34-17-21, as amended
3 by Act No. 2011-166, 2011 Regular Session (Acts 2011, p.
4 _____), 34-17-22, and 34-17-24 of the Code of Alabama 1975, are
5 amended to read as follows:

6 "§34-17-20.

7 "(a) In order to safeguard public welfare, health
8 and property and to promote public good, any person practicing
9 or offering to practice landscape architecture, privately or
10 in public service, shall be required to submit evidence that
11 he or she is qualified to practice ~~and shall become registered~~
12 as hereinafter provided. It shall be unlawful for any person
13 to practice landscape architecture or to use the term or title
14 "landscape architect" or "registered landscape architect"
15 unless duly licensed under the provisions of this chapter.

16 "(b) The state board shall adopt a program of
17 continuing education for its licensees not later than October
18 1, 1993, and after ~~said~~ the date no licensee shall have his or
19 her active license renewed unless, in addition to any other
20 requirements of this chapter, the minimum continuing annual
21 education requirements are met. It is further provided that
22 the continuing education program herein required shall not
23 include testing or examination of the licensees in any manner.

24 "§34-17-21.

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

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

1 "(2) Has, before making application to the board,
2 completed the course of study in and been graduated from a
3 college or school of landscape architecture approved by the
4 board. The application for examination shall be accompanied by
5 proof of actual practical experience in landscape
6 architectural work of a grade and character satisfactory to
7 the board. Each complete year of study in an approved college
8 or school of landscape architecture may be accepted in lieu of
9 one year of practical experience, and the applicant shall
10 submit evidence of sufficient additional acceptable
11 experience to total five years of combined education and
12 practical experience. The applicant shall also submit proof of
13 one additional year of practical experience sufficient to
14 total six years of combined education and practical
15 experience. ~~In lieu of graduation from an accredited college
16 or school of landscape architecture, and the practical
17 experience in addition thereto, an applicant may be admitted
18 to the examination upon presenting evidence of at least eight
19 years of actual practical experience in landscape
20 architectural work of a grade and character satisfactory to
21 the board.~~

22 "(3) Is a citizen of the United States or, if not a
23 citizen of the United States, is a person who is legally
24 present in the United States with appropriate documentation
25 from the federal government.

26 "§34-17-22.

1 "Examinations for the license shall be held by the
2 board at least once each year. The board shall adopt rules and
3 regulations covering the subjects and scope of the
4 examinations, shall publish appropriate announcements and
5 shall conduct the examinations at the times designated. Except
6 as hereinafter provided in this chapter to the contrary, every
7 applicant for licensing as a landscape architect shall be
8 required, in addition to all other requirements, to establish
9 by ~~written~~ a board approved examination his or her competence
10 to plan, design, specify, and supervise the installation of
11 landscape projects. Each written examination may be
12 supplemented by such oral examinations as the board shall
13 determine.

14 "§34-17-24.

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

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

22 "(c) If the annual license fee and penalty are not
23 paid before the ~~thirtieth~~ fifteenth day of ~~June~~ March in the
24 year in which they become due, the landscape architect's
25 certificate shall be suspended from and after the expiration
26 of 30 days from the date of mailing of notice of such
27 delinquency by registered or certified mail, return receipt

1 requested, postage prepaid and addressed to the landscape
2 architect at his or her address as it appears on the records
3 of the board. The notice of delinquency shall state that upon
4 the expiration of time herein allowed his or her certificate
5 will be suspended unless, within ~~said~~ the time, the annual
6 license fee and penalty are remitted.

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

11 "(e) The board shall issue a receipt to each
12 landscape architect promptly upon payment of the annual
13 license fee."

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