

1 SB435  
2 130053-1  
3 By Senator Whatley  
4 RFD: Small Business  
5 First Read: 21-APR-11

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.

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

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

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

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

A BILL

TO BE ENTITLED

## AN ACT

To amend Sections 34-17-20, 34-17-21, 34-17-22, and 34-17-24 of the Code of Alabama 1975, relating to landscape architects; to allow for the use of the title "registered landscape architects"; to delete the provision that allows eight years of practical experience qualification for a license; to provide further for the licensing examination; and to change the date in which delinquency notices for failure to pay a license fee can be mailed.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-17-20, 34-17-21, 34-17-22, and 34-17-24 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 "landscape architect" or "registered landscape architect" unless duly licensed under the provisions of this chapter.

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

"§34-17-21.

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

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

"(2) Has, before making application to the board, completed the course of study in and been graduated from a

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

20 "§34-17-22.

21 "Examinations for the license shall be held by the  
22 board at least once each year. The board shall adopt rules and  
23 regulations covering the subjects and scope of the  
24 examinations, shall publish appropriate announcements and  
25 shall conduct the examinations at the times designated. Except  
26 as hereinafter provided in this chapter to the contrary, every  
27 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 his or her competence  
3 to plan, design, specify, and supervise the installation of  
4 landscape projects. Each written examination may be  
5 supplemented by such oral examinations as the board shall  
6 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  
25 will be suspended unless, within ~~said~~ the time, the annual  
26 license fee and penalty are remitted.

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

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

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