

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

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

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

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

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

1           This bill also clarifies the status of the  
2           master and doctor of landscape architecture  
3           degrees.

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

7           This bill would require the applicant to  
8           take a board approved examination, which may be  
9           digital.

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

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

19          This bill would establish a fee to  
20          administer the supplemental examination on the  
21          Alabama statutes.

22  
23                           A BILL  
24                           TO BE ENTITLED  
25                           AN ACT  
26

1           To amend Sections 34-17-20, 34-17-21, 34-17-22,  
2           34-17-24, and 34-17-25 of the Code of Alabama 1975, relating  
3           to landscape architects; to allow for the use of the title  
4           "registered landscape architect"; to clarify the status of the  
5           master"s and doctoral degrees in fulfilling the education  
6           requirements; to delete the provision that allows eight years  
7           of practical experience qualification for a license; to  
8           provide for the licensing examination to be digital; to change  
9           the date in which delinquency notices for failure to pay a  
10          license fee can be mailed; and to establish a fee to  
11          administer the supplemental state examination.

12         BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13                 Section 1. Sections 34-17-20, 34-17-21, 34-17-22,  
14                 34-17-24, and 34-17-25 of the Code of Alabama 1975, are  
15                 amended to read as follows:

16                 "§34-17-20.

17                 "(a) In order to safeguard public welfare, health  
18                 and property and to promote public good, any person practicing  
19                 or offering to practice landscape architecture, privately or  
20                 in public service, shall be required to submit evidence that  
21                 he or she is qualified to practice ~~and shall become registered~~  
22                 as hereinafter provided. It shall be unlawful for any person  
23                 to practice landscape architecture or to use the term or title  
24                 "landscape architect" or "registered landscape architect"  
25                 unless duly licensed under the provisions of this chapter.

26                 "(b) The state board shall adopt a program of  
27                 continuing education for its licensees not later than October

1 1, 1993, and after ~~said~~ that date no licensee shall have his  
2 or her active license renewed unless, in addition to any other  
3 requirements of this chapter, the minimum continuing annual  
4 education requirements are met. It is further provided that  
5 the continuing education program herein required shall not  
6 include testing or examination of the licensees in any manner.

7 "§34-17-21.

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

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

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

1 ~~accredited college or school of landscape architecture, and~~  
2 ~~the practical experience in addition thereto, an applicant may~~  
3 ~~be admitted to the examination upon presenting evidence of at~~  
4 ~~least eight years of actual practical experience in landscape~~  
5 ~~architectural work of a grade and character satisfactory to~~  
6 ~~the board.~~

7 "§34-17-22.

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

21 "§34-17-24.

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

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

4           "(c) If the annual license fee and penalty are not  
5 paid before the ~~thirtieth~~ fifteenth day of ~~June~~ March in the  
6 year in which they become due, the landscape architect's  
7 certificate shall be suspended from and after the expiration  
8 of 30 days from the date of mailing of notice of such  
9 delinquency by registered or certified mail, return receipt  
10 requested, postage prepaid and addressed to the landscape  
11 architect at his or her address as it appears on the records  
12 of the board. The notice of delinquency shall state that upon  
13 the expiration of time herein allowed his or her certificate  
14 will be suspended unless, within ~~said~~ that time, the annual  
15 license fee and penalty are remitted.

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

20           "(e) The board shall issue a receipt to each  
21 landscape architect promptly upon payment of the annual  
22 license fee.

23           "§34-17-25.

24           "The fees prescribed by this chapter shall be in the  
25 following amounts:

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

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

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

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

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

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

14           "(7) The fee for administration of the supplemental  
15 examination on the statutes governing the practice of  
16 landscape architecture in Alabama is one hundred fifty dollars  
17 (\$150)."

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