

HB267 ENGROSSED



1 HB267
2 IDSRWWZ-2
3 By Representatives Moore (P), Lipscomb
4 RFD: Boards, Agencies and Commissions
5 First Read: 29-Feb-24



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A BILL

TO BE ENTITLED

AN ACT

Relating to the Board of Examiners of Landscape Architects; to amend Sections 34-17-1, 34-17-20, 34-17-21, 34-17-22, 34-17-23, 34-17-25, and 34-17-26, Code of Alabama 1975, to clarify definitions, examination requirements, and fees; to provide for reciprocity; and to make nonsubstantive, technical revisions to update existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-17-1, 34-17-20, 34-17-21, 34-17-22, 34-17-23, 34-17-25, and 34-17-26, Code of Alabama 1975, are amended to read as follows:

"§34-17-1

For the purposes of this chapter, the following words ~~and phrases shall~~ have the ~~respective~~ following meanings ~~ascribed by this section~~:

(1) BOARD. The Alabama State Board of Examiners of Landscape Architects.

(2) LANDSCAPE ARCHITECT. ~~A person~~ An individual who is engaged or offers to engage in the practice of landscape architecture, ~~as hereinafter defined in this state~~.



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(3) LANDSCAPE ARCHITECTURE. The performance of professional services such as consultation, investigation, research, planning, design, preparation of drawings and specifications, and responsible supervision in connection with the development of land areas where, and to the extent that the dominant purpose of such services is the preservation, enhancement, or determination of proper land uses, natural land features, planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, the setting of grades and determining drainage and providing for standard drainage structures, and the consideration and determination of environmental problems of land, including erosion, blight, and other hazards. This practice shall include the design of such tangible objects and features as are incidental and necessary to the purpose outlined herein but shall not include the design of structures or facilities with separate and self-contained purposes such as are ordinarily included in the practice of engineering or architecture, and shall not include the making of land surveys of final plats for official approval or recordation. Nothing contained herein shall preclude a duly licensed landscape architect from performing any of the services described in the first sentence of this subsection in connection with the settings, approaches, or environment for buildings, structures, or facilities. Nothing contained in this chapter shall be construed as authorizing a landscape architect to engage in the practice of architecture, engineering, or land surveying as these terms are defined in Section 34-17-27.



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(4) CLARB. The Council of Landscape Architectural Registration Boards comprised of members of licensure boards of landscape architecture across the United States and Canada."

"§34-17-20

(a) In order to safeguard public welfare, health, and property and to promote public good, any ~~person~~individual 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 as hereinafter provided. It shall be unlawful for any ~~person~~individual to practice landscape architecture or to use the term or title "landscape architect" or "registered landscape architect" unless he or she is 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 that 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 must comply with one of the following:

(1) ~~Is at least 19 years of age~~ Hold a degree in



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landscape architecture from a school or college approved by
the board or meet the alternative education requirements
approved by the board and satisfy the examination and
experience requirements.

~~(2) Has, before making application to the board,~~
~~completed the course of study in and been graduated from a~~
~~college or school of landscape architecture approved by the~~
~~board. The application for examination shall be accompanied by~~
~~proof of actual practical experience in landscape~~
~~architectural work of a grade and character satisfactory to~~
~~the board. Each complete year of study in an approved college~~
~~or school of landscape architecture shall be accepted in lieu~~
~~of one year of practical experience, and the applicant shall~~
~~submit evidence of sufficient additional acceptable experience~~
~~to total five years of combined education and practical~~
~~experience. The master's or doctoral degree in landscape~~
~~architecture shall fulfill the requirements for five years~~
~~combined education and practical experience. The applicant~~
~~shall also submit proof of one additional year of practical~~
~~experience sufficient to total six years of combined education~~
~~and practical experience. In lieu of graduation from an~~
~~accredited college or school of landscape architecture, and~~
~~the practical experience in addition thereto, an applicant may~~
~~be admitted to the examination upon presenting evidence of at~~
~~least eight years of actual practical experience in landscape~~
~~architectural work of a grade and character satisfactory to~~
~~the board. In order to qualify for the exemption from the~~
~~requirement to obtain a degree in landscape architecture based~~



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~~on eight years of practical experience, an applicant must have begun accepting practical experience prior to August 1, 2012.~~

~~(3) Is a citizen of the United States or, if not a citizen of the United States, is a person who is legally present in the United States with appropriate documentation from the federal government~~Satisfy the requirements for licensure by reciprocity prescribed by the board."

"§34-17-22

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

"§34-17-23

~~The board may exempt from examination an applicant who holds a license of certificate to practice landscape architecture issued to him or her upon examination by a legally constituted board of examiners of any other state or Washington, D.C. or any other territory or possession under~~



~~the control of the United States; provided, that such requirements of the state in which the applicant is registered are equivalent to those of this state.~~ Reserved."

"§34-17-25

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

(1) The fee for application to the board is one hundred fifty dollars (\$150).

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

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

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

(5) The annual license fee is one hundred fifty dollars (\$150).

(6) The delinquent penalty fee is fifty dollars (\$50).

(7) The fee for administration of the ~~supplemental examination~~ attestation, review, and recording on the statutes and laws governing the practice of landscape architecture in the State of Alabama is one hundred fifty dollars (\$150).

(8) The reinstatement fee is three hundred dollars (\$300).

(9) The inactive status fee is seventy-five dollars (\$75)."

"§34-17-26



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The board, subject to the provisions of this chapter and the rules ~~and regulations of~~adopted by the board,
~~promulgated thereunder prescribing~~may prescribe the qualifications for a landscape architect license by reciprocity., ~~may permit the practice of landscape architecture in this state under a landscape architect license issued under the laws of any other state or country, upon payment of the current fee established by the board, and upon submission of all of the following evidence satisfactory to the board:~~

~~(1) That the other state or country maintained a system and standard of qualifications and examinations for a landscape architect license which were substantially equivalent to those required in this state at the time the license was issued by the other state or country.~~

~~(2) That the other state or country gives similar recognition and endorsement to landscape architect licenses of this state."~~

Section 2. This act shall become effective on October 1, 2024.



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House of Representatives

192 Read for the first time and referred29-Feb-24
193 to the House of Representatives
194 committee on Boards, Agencies and
195 Commissions
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197 Read for the second time and placed06-Mar-24
198 on the calendar:
199 1 amendment
200
201 Read for the third time and passed21-Mar-24
202 as amended
203 Yeas 98
204 Nays 0
205 Abstains 0
206
207
208 John Treadwell
209 Clerk
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